

ALLEGHENY COUNTY BOARD OF HEALTH

MINUTES

November 4, 2020

Present: Lee Harrison, MD, Chair  
William Youngblood, Vice Chair  
Debra Bogen, MD, Secretary  
Anthony Ferraro  
Ellen Stewart, MD  
Edith Shapira, MD  
Donald Burke, MD  
Kotayya Kondaveeti, MD

Absent: Joylette Portlock, PhD  
Caroline Mitchell

1. **Call to Order**

Due to the emergency order issued by Governor Wolf in relation to COVID-19, the meeting was held virtually. The meeting was livestreamed online, in order to enable the public to observe the meeting. Public comments were submitted in writing in advance and were read during the meeting by Todd Bogdanovich.

Dr. Harrison called the meeting to order. He announced that an executive session was held to discuss litigation.

2. **Approval of Minutes from September 2, 2020**

Dr. Harrison asked if there were any comments or questions about the minutes. There were none.

**Action:** Dr. Stewart moved to approve the minutes, Dr. Shapira seconded the motion.  
**Motion passed unanimously.**

3. **Public Comments on Agenda Items**

**A. Jeff Nobers, Builders Guild of Western PA, re: Proposed Draft Coke Oven Regulations**

Mr. Nobers wrote that he is the Executive Director of the Builders Guild of Western Pennsylvania, which is a unique labor/management initiative of the building and construction trade unions of Western PA and local professional contractor associations. The US Steel Mon Valley Works is one of the largest industrial employers for the Guild's members. The Clairton Coke Plant is a critical part of the Mon Valley Works and its future could decide the future of the

entire Mon Valley Works. The Clairton Coke Plant already operates under the most stringent environmental standards for steel and coke operations in the United States. The proposed regulation could place in jeopardy the future of coke, iron and steelmaking in the Pittsburgh region. The Guild requested that the Board work cooperatively with US Steel and all stakeholders that rely on the future of these major operations to find solutions that benefit the environment, but also allow for good paying jobs and the continued production of coke, iron and steel in the Pittsburgh Region.

**B. Ken Broadbent, Steamfitters Local Union 449, re: Proposed Draft Coke Oven Regulations**

Mr. Broadbent wrote that he is the Business Manager for the Steamfitters Local Union 449. The Clairton Coke Plant is critical to the future of the Mon Valley Works. It is their only remaining Coke Plant, and steel can't be made without coke. The good paying jobs provided by the US Steel Mon Valley Works are a critical part of Pittsburgh's diverse economy. The proposed regulations were not developed properly, and further collaboration and review is needed before these regulations should be considered. The Union requested that the Board and ACHD work with all stakeholders to find a balanced solution that will protect the environment and the good paying jobs provided by the Mon Valley Works.

**C. Thomas Melcher, Pittsburgh Building & Construction Trades Council, re: Proposed Draft Coke Oven Regulations**

Mr. Melchor wrote that he is the Business Manager for the Pittsburgh Building & Construction Trades Council. The Council's membership represents roughly 45,000 hard working men and women and over 33 local unions. The Council has a long history of helping companies like US Steel manufacture coke, iron and steel here in the 'Steel City'. If these critical products are not produced here, they will be made somewhere else in the world, very likely by foreign producers that will not meet the same high environmental standards that we meet here in Pittsburgh. The result would be that we export our good paying union jobs overseas and import pollution from foreign countries. The Council requested that the Board instruct ACHD to work cooperatively with industry to find a better solution than the proposed regulations in order to protect the environment and good paying jobs.

**D. Philip Ameris, Laborers' District Council of Western PA, re: Proposed Draft Coke Oven Regulations**

Mr. Ameris wrote that he is the Business Manager for the Laborers' District Council of Western Pennsylvania. The Council and its affiliated local unions represent more than 20,000 members in Western PA. Here in the Pittsburgh region, the steel and energy industries are a critical part of our overall economy. The proposed coke oven regulations do not protect the environment while providing for good paying family sustaining jobs. The proposed regulations would be in violation of the 2019 Settlement Agreement between US Steel and ACHD, nor do they include fair, objective, consistent and accurate test methods and observation procedures for monitoring the company's performance. The Council requested that the Board direct ACHD to find a better, more balanced solution that will protect the environment and good paying jobs.

**E. Gregory Bernarding, Iron Workers Local No. 3, re: Proposed Draft Coke Oven Regulations**

Mr. Bernarding wrote that he is the Business Manager for Iron Workers Local No. 3, located in Pittsburgh and representing over 1,800 Iron Workers. In 2019 and 2020, the Clairton Coke Plant saw dramatic record-setting improvements on all environmental performance indicators. The Liberty and North Braddock air quality monitors located near the plant have demonstrated attainment with national ambient air quality standards in 2020. US Steel's efforts have also resulted in unprecedented environmental compliance at the Clairton plant, including Federal NESHAP/MACT compliance that has remained at 100% for the past several years, and Battery stack compliance of 99.9% for the first six months of 2020. Pittsburgh's steel industry has provided good paying jobs and steady employment for many years. These good paying jobs are needed more than ever today. Iron Workers Local No. 3 requested that the Board work cooperatively with US Steel by reconsidering and returning the regulations and finding a better solution that will protect the environment and good paying jobs.

**F. Grace Johnston, re: Proposed Draft Coke Oven Regulations**

Ms. Johnston wrote that she is a resident of Moon Township. She is deeply worried about the air pollution from US Steel's Clairton Coke Works. The Clairton Coke Works is the heaviest stand-alone polluter of hydrogen sulfide and Allegheny County already holds a place in the worst 2% of counties nationwide at risk for developing cancer from air pollution. She requested that the Board continue with implementing stricter pollution limits for US Steel's Clairton Coke Works, as people's lives depend on this.

**G. Maury Burgwin, Mon Yough Area Chamber of Commerce, re: Proposed Draft Coke Oven Regulations**

Mr. Burgwin wrote that he is the President of the Mon Yough Area Chamber of Commerce. The Clairton Coke Plant is a critical part of US Steel's Mon Valley Works; our region's largest manufacturer and a very important employer in the Mon Valley. The 3,000 steelworkers employed at the Mon Valley Works support an additional 10,500 jobs throughout southwestern Pennsylvania, many in the Mon Valley area. ACHD should not force subjective and arbitrary regulations on the Clairton Coke Plant, or any business in Allegheny County. Businesses and industry in Allegheny County need cooperation and predictability from local government if we want to encourage future investment and job creation. The Chamber requested that the Board reconsider the proposed regulations for further review and work cooperatively with US Steel and all stakeholders to find a more workable solution.

**H. Edith Abeyta, re: Proposed Draft Coke Oven Regulations**

Ms. Abeyta wrote to encourage the Board to host public information sessions regarding the proposed coke oven regulations specifically for residents like herself who live in environmental justice communities that are in close proximity to the Mon Valley Works before adopting any new coke oven regulations. She asked that these sessions are conducted during a time that allows people to attend who work during the day, are day time caregivers and/or

community members who are facilitating schooling for their children during day time hours. It is important that people who are most impacted by these regulations are well informed about what they are, how their lives and health will be protected, and be able to comment on them in an informed way.

**I. Cindy Meckel, re: Proposed Draft Coke Oven Regulation**

Ms. Meckel wrote that the ongoing spewing of poison coming out of the Clairton Works is horrific. Ms. Meckel and her husband needed to cut down trees and shrubs in their yard due to the fire and the 100 days of no air filtration. Fines against US Steel are laughable to a corporation that took full advantage of the changes in the tariffs and raked in millions of dollars in profits, while their neighbors who own their homes and pay taxes must suffer. Ms. Meckel's home has soot every time she opens the windows. She must scrub the outside of her home twice a year to get the grime off. Ms. Meckel recognizes that US Steel provides a good wage to its workers, but it also has a responsibility to their neighbors to provide a good living environment. Ms. Meckel requested that fines levied against US Steel be increased to where having US Steel do the necessary upgrades to their air filtration would be cost effective for them.

**J. Jay Ting Walker, Clean Air Council, re: Proposed Draft Coke Oven Regulations**

Mr. Walker wrote that he is an Outreach Coordinator with Clean Air Council. He wrote that ACHD should already be enforcing requirements that mirror Federal and state regulations. Is the Council's understanding that the proposed lowering of the emission standard for coke oven gas is intended to correct a computational error in the regulatory standard. This does not involve making the standard more stringent than it already should be. It is also not clear if there would be any quantifiable emissions reductions from these proposed regulations. By entering into the Settlement Agreement with the company, ACHD put itself into the position of focusing on marginal changes in procedural requirements such as inspections, rather than on substantive changes in emissions standards. Mr. Walker wrote that ACHD should be doing more.

**K. Rachel Filippini, GASP, re: Proposed Draft Coke Oven Regulations**

Ms. Filippini wrote that GASP supports putting the draft coke oven regulations out to public comment. The Air Quality program committed several years ago to revising the coke oven regulations and GASP is glad to see them finally moving forward. In addition to the coke oven regulations, the County must also address pollution made worse by acute weather-related pollution events. Updates to both regulations are sorely needed. ACHD's current episodic air pollution regulations are woefully outdated, so much so that they do not even list an action level for PM2.5.

**L. Mark Dixon, re: Proposed Draft Coke Oven Regulations**

Mr. Dixon wrote that he is a resident of Squirrel Hill South and a frequently frustrated inhaler of noxious chemicals that regularly waft along the Mon Valley and into his house. He wrote that the SmellPGH app continues to be the go-to destination for residents who seek to register their complaints with the regularly horrific stench of Allegheny County's air. More than

47,000 smell complaints rated 2-5 have been submitted to the app since September 2016. Mr. Dixon asked that the Board let the SmellPGH complaint count be a barometer of ever-increasing citizen concern, even outrage, over the poor air quality we have to live with day in and day out. A significant portion of our region's most stinky emissions come from US Steel's Clairton Coke Works. Mr. Dixon asked the Board to please hold US Steel meaningfully to account for the quality of life we seek and expect in Allegheny County.

**M. Howard Rieger, re: Proposed Draft Coke Oven Regulations**

Dr. Rieger wrote that for over 100 years US Steel and its Mon Valley Works have spewed noxious emissions into our atmosphere. The technology to do better is available and yet the company persists in its game plan to delay, confuse and in the end make commitments that they are notorious for not honoring. At this meeting of the Board, there will be consideration of updated current coke oven regulations at US Steel's Clairton Coke Works, the over century old facility that is the greatest source of pollution in our region. US Steel made commitments years ago to upgrade the ovens that turn coal into coke for company blast furnaces, commitments never fully fulfilled, leaving us to breathe air polluted by 1950s era coke ovens. When our community is engaged in any process with US Steel, we are up against a company with a stable of lawyers and an underfunded ACHD.

**N. Michael Rhoads, US Steel, re: Proposed Draft Coke Oven Regulations**

Mr. Rhoads wrote that he is the Plant Manager of the Mon Valley Works Clairton Plant. In 2020 year to date, total Clairton Battery combustion stack compliance is at 99.84%. In addition, the 3<sup>rd</sup> and 4<sup>th</sup> quarter fugitive current compliance rate per the Settlement Agreement and Order is at 99.04% - the highest level recorded to date. For the year 2020, the Liberty monitor has been demonstrating attainment with the PM2.5 and SO2 national ambient air quality standards. Regarding the draft coke oven regulations, US Steel is disappointed that ACHD has not abided by the 2019 Agreement in which the parties agreed to a process for future coke oven rulemaking, with a focus on test methods, as well as a process to justify the adoption of more stringent emission standards; nor has it followed generally accepted practices for rulemaking. Mr. Rhoads wrote that the Board should return the draft coke oven regulations to the ACHD staff and direct them to comply with the commitments that ACHD made in the 2019 Agreement, follow a proper rulemaking process that provides justification for each of the revisions, and provide language that includes a fair, objective, consistent, and accurate observation methodology.

**O. Angela Kilbert, Penn Future, re: Proposed Draft Coke Oven Regulations**

Ms. Kilbert wrote that Citizens for Pennsylvania's Future urges the Board of Health to send the proposed coke oven regulations out for public comment. Coke production is a significant source of air pollution in the County, and negatively impacts the health of Allegheny County residents. It has been over two years since the Health Department announced plans to issue new coke oven regulations. It is time for the public to have their voices heard on this important issue by allowing for public review and comment on the proposed regulations.

**P. Jonathan Eberle, re: Proposed Draft Coke Oven Regulations**

Mr. Eberle wrote that the Board must be frustrated with the legalism and political activity that revolve around air quality regulations, when the science is very clear: Air pollution, and emission compounds from the Clairton Coke and Edgar Thomson Works, cause significant morbidity and mortality damages to the population in Allegheny County, Pennsylvania and neighboring states. What needs to be addressed today is how air pollution enforcement in Allegheny County provides biased records that minimize the impact of pollution by averaging emission over time as opposed to enforcing incidental emissions by site specific occurrences and actual volumes. The Health Department's regulatory practices are inconsistent across the scope of the Department's operations as a whole. Comprehensive and accurate surveillance and methodologies are utilized in areas such as infectious disease and water quality and yet purposefully vague methodologies and ineffective enforcements continue with air quality. Even with the current air toxics study in effect in the Monongahela Valley, there is no way to assess if local industries are merely capping production during this time frame, in order to avoid providing an accurate representation of their facility emissions. The only solution with this evasive behavior is to implement 360 degree monitoring ongoing.

**Q. Don Furko, USW Local 1557, re: Proposed Draft Coke Oven Regulations**

Mr. Furko wrote that he is the President of the United Steelworkers Local 1557 in Clairton. His union represents nearly 1200 hard working men and women at US Steel's Clairton Coke Plant. Considering that half of these steelworkers live in Allegheny County, the union believes that protecting our shared environment should be its top priority. More than 200 of the union's members have jobs that are primarily environmental in nature. The union is committed to operating the plant in an environmentally responsible manner. The settlement agreement that ACHD made with the company last year contained many improvements to the coke batteries, to training of the union's members, and to emissions controls. This agreement was a compromise from both sides on common-sense upgrades and goals. Mr. Furko requested that the Board reconsider and return the draft coke oven regulations to the Health Department staff and direct them to find a better solution that will not only protect the environment, but also the good paying jobs of union members. Proposing regulations that are overly restrictive and unachievable could begin a chain of events that would have a devastating impact on the Mon Valley, as studies have reported that each steel job in Pennsylvania supports five more non-steel jobs.

4. **Old Business**

**A. COVID-19 Update**

Dr. Bogen reminded the Board of the COVID timeline within Allegheny County. On March 14<sup>th</sup>, "non-essential" businesses were asked to close voluntarily. On March 23<sup>rd</sup>, Governor Wolf issued a stay at home order. On May 15<sup>th</sup>, Allegheny County entered the state's yellow phase. On June 5<sup>th</sup>, Allegheny County entered the state's green phase. On June 30<sup>th</sup>, restrictions were implemented for on-premises alcohol consumption at business establishments. On July 3<sup>rd</sup>, there

was a one-week closure of bars, restaurants and casinos. Activities and events were limited to less than 25 people. On July 10<sup>th</sup>, there was a two-week closure of indoor dining. Indoor and outdoor gatherings were limited to 25 and 50 attendees respectively. On August 27<sup>th</sup>, there was an order changing the outside gatherings limit to 100. On September 24<sup>th</sup>, County-specific orders were withdrawn. On October 6<sup>th</sup>, the state issued new orders regarding the sizes of gatherings. The orders limited gatherings' sizes based on the occupancy capacity of the venue.

Dr. Bogen shared key metrics with the Board and noted Allegheny County's condition regarding each metric. For the metric of the average positivity rate over the last 7 days being less than or equal to 10%, Allegheny County passed. For the count of people tested for each case over the last 7 days is greater than or equal to 50, Allegheny County failed. For the number of new cases per day declining over the last 14 days, Allegheny County failed. For the count of new cases per 100,000 residents declining over the last 14 days, Allegheny County failed. For the count of people hospitalized for COVID-19 declining over the last 14 days, Allegheny County failed. For the average ICU capacity over the last 7 days not exceeding 90%, Allegheny County passed. For the 3-day rolling average count of deaths declining over the last 14 days, Allegheny County failed.

Regarding hospitalizations, the week of 10/4 saw a weekly average of 73 patients, the week of 10/18 saw 134, and the week of 10/25 saw 158. Dr. Bogen stated that adequate bed space exists for patients in Allegheny County hospitals. She noted that African-Americans comprise a disproportionately high number of hospitalizations.

Dr. Bogen next shared a slide comparing the number of cases, hospitalizations, and deaths between the H1N1 outbreak in 2009, the 2019-20 seasonal flu, and COVID-19 from March through August. In Allegheny County, H1N1 had 1,604 cases; 107 hospitalizations; and 5 deaths. The data for the 2019-20 seasonal flu were 13,804 cases; 177 hospitalizations; and 15 deaths. The data for COVID-19 from March through October were 15,796 cases; 1,453 hospitalizations; and 434 deaths. This data shows that COVID-19 is much more serious than the seasonal flu.

Regarding COVID-19's impacts on students and educators, Allegheny County had 98 cases among K-12 students in September, and 49 cases among K-12 staff. In October, there were 131 cases among K-12 students, and 63 among staff. Dr. Bogen stated that ACHD has a team working with schools. From August through October, there were 699 cases among Allegheny County's university students and 38 cases among university staff. The bulk of these cases were at the University of Pittsburgh. Dr. Bogen commended the area universities for doing a tremendous job of containing the virus.

Testing efforts continue. ACHD will be trying to increase the availability of mobile testing services as winter approaches. PCR Curative testing continues to be conducted at the McKeesport testing site; and, at ACHD's community partners such as faith-based testing sites and FQHCs. Almost 26,000 PCR Curative tests have been performed by ACHD and its partners. Roughly half of those tested are non-Caucasian. One of the largest challenges that ACHD faces in responding to the pandemic is the fact that approximately 40% of those who have had positive test results have been asymptomatic.

ACHD continues to be successful with contact tracing. ACHD has been able to reach 84% of reported contacts and provide them with quarantine guidance. Volunteers from the Medical Reserve Corps continue to assist ACHD with this effort. Dr. Bogen urged people to sign up for the COVID Alert PA app, which had been released by the state government. She offered assurance that the app is very secure.

ACHD also continues to be proactive regarding influenza. Flu vaccines are distributed to residents at ACHD's Immunization Clinic. ACHD has also held events at work locations to vaccinate County employees. As of October 30<sup>th</sup>, 1,099 flu vaccines were given. ACHD and its partners are working to ensure that all members of our community have access to influenza vaccines. The Section 317 vaccine allows ACHD to share the vaccine more freely with organizations such as FQHCs and pharmacy school programs.

Dr. Bogen stated that a map of locations where flu shots are available is located at [www.alleghenycounty.us/flumap](http://www.alleghenycounty.us/flumap). Dr. Bogen transitioned from discussing the location of flu shots to informing the Board of the new locations for relocated ACHD offices. The Food Safety Program and the administrative office of the WIC Program have moved to 2121 Noblestown Road. The WIC clinic office will be moving from downtown's Investment Building to the Warner Center, located at 332 Fifth Avenue in downtown.

Dr. Bogen ended her presentation by giving the Board an updated breakdown of how ACHD has been spending funds from the CARES Act. \$20,255,250 has been spent, with the breakdown as follows: \$14,500,000 for COVID tests; \$535,000 for grants to FQHCs; \$360,000 for advertising; \$250,000 for IT support needs; \$1,750,000 for small grants; \$110,000 for the field team, and \$3,000,000 for staff support. Dr. Bogen stated that ACHD had significant IT needs and noted that the Epidemiology team has expanded from less than ten to approximately 60 now.

Dr. Burke asked Dr. Bogen if she could comment on the notion of herd immunity and asked about the percentage of Allegheny County who have been infected. Dr. Bogen stated that herd immunity is not a good concept with this virus. She stated that approximately 20% of the community has been tested, with maybe 10% exposed, and a case confirmation of 1-2%. She stated that we are nowhere near discussing herd immunity here. Dr. Burke stated that he completely agreed. Dr. Kondaveeti stated that there have been 480 COVID deaths. He asked if these deaths were caused by COVID, or COVID was just associated with the death. Dr. Bogen



stated that many deaths have occurred in LTCFs, whose residents often have comorbidities. But she noted that other COVID deaths have occurred without comorbidities. As ACHD doesn't do the death certificates, this would be a question best directed to the state. Dr. Kondaveeti next asked what has been done with LTCFs. Dr. Bogen stated that the Regional Response Health Collaboration Program has been a state initiative to share protocols and best practices with LTCFs. The RRHCP initiative has been helpful and effective, though challenging.

#### **B. Article XV (Plumbing) Regulation Update**

ACHD Solicitor Michael Parker and Ivo Miller, ACHD's Plumbing Program Manager, gave a presentation to the Board regarding Proposed Revisions to Article XV: Plumbing & Building Drainage. Mr. Parker stated that Article XV has not been amended since approximately 2009. A revision process began in January 2017 with internal review of the existing Article XV. The Board approved those changes to Article XV in 2018. County Council did not ratify the 2018 revisions due to the state's adoption of the 2015 International Plumbing Code (IPC) as its uniform plumbing code. The current proposed revision to Article XV began in 2019 with a line-by-line comparison of Article XV and the IPC. The Plumbing Advisory Board was consulted and unanimously voted to recommend to the Board of Health that the revisions be approved as the new Article XV. The Board approved a 30-day public comment period at its meeting in July 2020.

The public comment period lasted from August 27, 2020 to September 25, 2020. ACHD received three comments during this period. Mr. Parker shared the three comments and ACHD's responses with the Board. He requested that the Board vote to approve the proposed revision to Article XV.

**Action:** Mr. Youngblood moved to approve the update to Article XV. Dr. Shapira seconded the motion.

**Motion passed unanimously.**

### **5. New Business**

#### **A. 2021 Meeting Dates for the Board of Health**

Dr. Harrison noted the proposed dates for the Board's meetings in 2021.

**Action:** Dr. Stewart moved to approve the 2021 meeting dates. Mr. Youngblood seconded the motion.

**Motion passed unanimously.**

#### **B. Epidemiology Updates – 2018 Birth Records and Infant Mortality**

Lynda Jones, an ACHD Epidemiologist, gave a presentation to the Board regarding 2018 Birth Records and Infant Mortality. Ms. Jones stated that all live births and deaths in Pennsylvania are required by the Vital Statistics Law of 1953 to be reported to the Pennsylvania Department of Health (PaDOH). ACHD receives final birth and death data from the PaDOH 16 to 18 months after the end of each calendar year.

The data show that the birth rate is gradually decreasing, as the mother's age at birth has been increasing since 2003. 8.6% of all live births in 2018 had a low birth weight, defined as being less than 5.5 pounds. This percentage has not significantly changed since 2003, but the percentage of very low birth weight, defined as being less than 3.3 pounds, has significantly decreased since 2003. There has been a significant decline since 2003 of preterm births, defined as happening at less than 37 weeks. 9.7% of all births were preterm in 2018. 8.8% of mothers smoked during pregnancy in 2018, a significant decrease from 2003 and 2011. Mothers who smoke during pregnancy are 2.6 times more likely to have a low birth weight and 1.8 times more likely to have a preterm birth. 80.9% of mothers intended to breastfeed in 2018, which is a significant increase compared to 60.1% in 2003. This increase has been seen across all race and ethnicity groups. Allegheny County's first trimester prenatal care rates are consistently significantly higher compared to the rest of the state. In 2018, 85.9% of births were to females receiving early prenatal care, above the Healthy People 2020 target of 84.8%. However, significant disparities exist for females identifying as multi-race. The infant mortality rate continues to drop since 2000, however there is still a racial disparity. There have been no changes do key indicators during the COVID-19 pandemic either overall, or by subgroup.

Dr. Harrison thanked Ms. Jones for her presentation. He asked why low birth weight hasn't changed. Ms. Jones stated that the reasons were complex, and data would need to be collected regarding racism and postpartum pregnancy intentions. Dr. Burke asked if there was any data on drug-use. Ms. Jones stated that wouldn't be directly captured on a birth certificate, but that ACHD is looking at hospitalization data.

### **C. Proposed Draft Coke Oven Regulations – Request for Public Comment Period**

Jim Kelly, ACHD's Deputy Director for Environmental Health, informed the Board that ACHD is requesting a vote for a public comment period regarding these regulatory changes. Mr. Kelly requested a 60-day public comment period because the changes are significant, and the public comment period would be over the holidays. He stated that the Board has been provided the proposed changes in full. After the public comment period ends, ACHD would issue a response document and may change the proposed regulation as necessary. The regulations would then be brought back to the Board for its final approval. If the Board grants final approval, the regulation would then move to County Council.

Jeff Bailey, an ACHD attorney, began the presentation by providing the Board with an overview of the coke making process. Coal is baked under very high temperature in an air-free oven. A battery consists of multiple ovens connected by common brick lined walls. US Steel has ten batteries. Coke oven gas is produced during the coking process when volatile products are driven off. The volatile products and gases include benzene, tar, sulfur compounds such as H<sub>2</sub>S, ammonia and methane. Coke oven gas is burned to heat the coke ovens, boilers and blast furnaces. Mr. Bailey then presented an illustration of a coke battery that noted where emissions may escape from a battery during the coking process.

Mr. Bailey next presented the Board with details of the process by which ACHD developed the coke oven regulation amendment. Discussions were held with inspectors and coke oven engineers. ACHD also held 11 meetings with US Steel since June 2020. The changes were reviewed by the Regulation Subcommittee twice. ACHD has prepared a Technical Support Document which provides an explanation for the amendments. The changes were supported by the Air Advisory Committee to go to public comment by a vote of 5 to 4.

There were several changes to the regulations. Coke oven inspection procedures will be incorporated into the regulations. The regulations currently only provide the emissions standards for coke ovens. The inspection procedures are in ACHD's Source Testing Manual. Per the 2019 Settlement Agreement, ACHD agreed to incorporate inspection procedures for coke ovens into the regulation. The Agreement also provided that the ACHD would consider averaging, inspector positioning and recordkeeping. The changes also address issues of stringency with Federal and Pennsylvania regulations. ACHD regulations cannot be less stringent than Federal and Pennsylvania regulations. US Steel had an objection that the Settlement Agreement provides that ACHD may adopt more stringent emission standards that are technically feasible. Mr. Bailey stated that ACHD is required to amend its regulation if it is less stringent than Federal or Pennsylvania regulations. ACHD is not required to demonstrate that the standard is technically feasible.

The changes also correct the standards for coke oven gas. Coke oven gas is produced during the coking process and contains sulfur compounds such as hydrogen sulfide. The regulations limit the concentration of sulfur compounds in the coke oven gas when flared or combusted. The standard is based on grains of sulfur compounds in a volume of coke oven gas. A grain is a unit of measurement of mass. The current plant wide standard is 35 grains, but the correct plant wide standard should be 23 grains. The proposed changes set a compliance date of January 1, 2025 for the correct standard. Currently, hydrogen sulfide is the only sulfur compound required to be measured. In order to be as stringent as the Pennsylvania regulations, the proposed changes will require the measurement of hydrogen sulfide, carbon disulfide, ethyl mercaptan, carbonyl sulfide, methyl mercaptan, and sulfur dioxide.

Dean Deluca, ACHD Air Quality Program Manager, concluded the presentation by providing the Board details about the proposed changes regarding how ACHD inspectors will perform their inspections.

Dr. Harrison thanked Mr. Bailey and Mr. Deluca. Mr. Ferraro asked how many times the proposed changes have been sent to the Advisory Committee. Mr. Bailey stated that it typically would only go on one occasion. Mr. Ferraro asked what motivated the four from the Advisory Committee who voted against the proposed changes. Mr. Bailey stated that comments from a member who abstained and a member who voted against were included in the packet given to Board members. Those who voted against the changes contended that ACHD's regulations are more stringent and there were complaints regarding the Settlement Agreement.

**Action:** Dr. Shapira moved to approve a 60-day public comment period for the Coke Oven Regulations, Dr. Stewart seconded the motion. Mr. Ferraro voted against the motion.

**The motion passed with 6 in favor and 1 against.**

Mr. Ferraro stated that he wanted to see more buy-in from the Advisory Committee. He stated that the goal should be for unanimous acceptance by the Advisory Committee. Dr. Kondaveeti noted the double-edged sword and encouraged ACHD to ask US Steel to meet in the middle. He noted the current economic suffering and expressed a desire not to lose jobs but also the desire to protect health. Mr. Youngblood stated that he wants to see the public comments received during the public comment period.

#### **D. Air Toxics and Hydrogen Sulfide Study**

David Good, the Air Monitoring and Source Testing Manager for ACHD's Air Quality Program, presented details to the Board regarding the Mon Valley Air Toxics and Odors study. The project will combine active and passive ambient air surveillance to measure species of known concern and identify others that are not previously known or quantified. The study will determine spatial patterns and trends of select air toxics emissions and odors, such as hydrogen sulfide, in the Mon Valley. It will characterize community air toxic concentrations to assist in the analysis of health impacts and the development of risk reduction strategies. The air toxics species of interest for the study include volatile organic compounds, carbonyls, polycyclic aromatic hydrocarbons, PM10 metals, and odors.

Mr. Good informed the Board of the project's milestones and tentative schedule. The project's design was drafted in June 2020 and finalized in August. In September, the Board approved funding for the study. Initial phases began in October, to include the commencement of metals sampling. Hydrogen sulfide surveillance will begin in November. January 2021 should see the commencement of passive BTEX sampling. The remainder of sampling activities should commence in April 2021. The sampling period will end in March 2022.

### **6. Public Comments on Non-Agenda Items**

#### **A. Angelo Taranto, ACCAN, re: Metalico and Neville Island Air Monitoring**

Mr. Taranto wrote that he is a Board member of Allegheny County Clean Air Now (ACCAN). ACCAN has been working since 2018 with ACHD's Air Quality Program to get better regulation of Metalico, an automobile recycler on Neville Island. Mr. Taranto expressed appreciation for a meeting with Air Quality staff on October 21, 2020. He also expressed appreciation for the hiring of additional inspectors, but he would like to know why smoke and dust emissions from Metalico have increased. Mr. Taranto also wrote that the Neville Island area deserves the same type of air toxics and H2S monitoring as the Mon Valley.

**B. Tim Alan, re: COVID in Young Adults**

Mr. Alan wrote that he finds it alarming that the daily COVID infection numbers are highly concentrated in the young adult and middle age categories. He wrote that he lives downtown and often sees students together in groups indoors without masks. He asked if ACHD is doing anything to actively stop this type of transmission or if ACHD believes there is another reason people between the ages of 19 and 63 made up the majority of new cases in Monday's daily report.

**C. Deborah Gentile, re: Asthma and Air Pollution**

Dr. Gentile wrote that a peer-reviewed study that she recently published in the Journal of Asthma documented some serious public health concerns about children residing near sources of pollution, particularly African-American children and children living in poverty in Allegheny County. The article presented the findings of the 2014-2017 STARS study that screened more than 1,200 children at fifteen elementary schools, including schools in Clairton and Braddock. The findings showed that the overall presence of asthma was 22.5%, nearly triple the national rate of 8.5% reported by the Center for Disease Control (CDC). Disparate children in our region, particularly African-American children are exposed to harmful levels of air pollution that are associated with increased asthma prevalence. Dr. Gentile wrote that the results of her study emphasize the importance of primary prevention, which are interventions before health effects occur. Primary prevention specifically includes reductions in exposure to air pollution, to decrease the disparities in asthma prevalence in our region.

**D. C. Schwarzott, re: Rising COVID Cases**

This commenter provided Mr. Bogdanovich with no first name. They wrote that COVID cases have been rising in our County since June and that ACHD has made little effort to do much but make Allegheny County a COVID breeding pool.

**E. Felicia Alexander, re: Racism**

Ms. Alexander wrote to express her appreciation for ACHD taking on racism as a public health crisis. She asked what actions is ACHD working on to put changes into place, and if ACHD is inviting community members to collaborate with it on action plans?

**F. Johnie Perryman, re: Air Quality**

Mr. Perryman wrote that he remembers when we started requiring automobiles to get emissions testing every year. People fought hard to prevent this, but it had a wonderful effect on the environment. Clean air is a choice and we get what we settle for. If we decide to have clean air, we can make it happen. Fines are ok. But we want and deserve clean air. Stop the pollution now.

**G. Art Thomas, re: Air Filters and Public Information**

Mr. Thomas wrote that he has been a resident of Clairton for over 70 years. His wife suffers from sarcoidosis. Mr. Thomas sleeps with a mask. Mr. Thomas wrote that he believes that these problems are because of breathing the air in Clairton. He wrote that the citizens of Clairton should be able to find air quality information advertised on tv and on signs that are directly in contact with the monitoring that's occurring at the mills. Clairton residents should also be able to access the money from the Clean Air Fund to purchase air filters for schools, senior citizens buildings, churches, and for the citizens with respiratory problems. He wrote that the mill in Clairton should clean up its act or shut down, and that it should have to abide by the law just like he does daily.

**H. Zandra Robinson, re: Air Purifiers**

Ms. Robinson wrote that she has been a resident of Clairton since 2001. When she purchased a home there, she knew that there were tons of people who had respiratory issues. She thought that it was because they worked at the mill. Later, she learned of an abnormal number of children with asthma. And later still tons of adults with COPD who had never worked at the mill. This frightened her. As she considered leaving the city, she learned of a group advocating for clean air. If her family is to continue as residents of the Mon Valley, they need clean air. Ms. Robinson requested help in the form of air purifiers for each household so that the residents can at least have clean air in their homes.

**I. Keren Gifford, re: Childcare Centers**

Ms. Gifford wrote that she is looking for evidence-based guidance on when it might be appropriate to keep her children home from daycare. She wrote that she has no way of knowing exactly what threshold of community spread should signal that her children should be kept home. She also expressed concern that teachers and staff at daycare centers have higher risks now and she expressed a desire that government could do more to support and protect those who care for children and enable parents to work. Ms. Gifford asked if there was any current Federal or local support targeting childcare centers, or if any was planned.

**J. Marie Mambuca, re: Protection**

Ms. Mambuca thanked the Board for trying to protect the residents. She wrote that she is fortunate enough to work from home, but her daughter must go in to Ross Park Mall. She wrote that these are scary times.

7. **Adjournment**

Mr. Youngblood moved to adjourn the meeting, Mr. Ferraro seconded the adjournment.