

**ALLEGHENY COUNTY HEALTH DEPARTMENT
AIR QUALITY PROGRAM**

In the Matter of:

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

Violation No. 231002

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

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

ENFORCEMENT ORDER

NOW, this 19th day of October 2023 the Allegheny County Health Department (hereinafter "ACHD") issues this Enforcement Order after it has found and determined the following:

I. AUTHORITY

1. The Director of 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 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, ACHD’s Rules and Regulations, Article XXI, “Air Pollution Control” (Allegheny County Code of Ordinances Chapters 505, 507 and 535) (hereinafter “Article XXI”).

II. BACKGROUND

2. United States Steel Corporation (hereinafter “U.S. Steel”) owns and operates a coke making facility in Clairton, Allegheny County, Pennsylvania (hereinafter “Clairton Coke Plant”).

3. The Clairton Coke Plant operates seven coke batteries and produces approximately 11,000 tons of coke per day from the destructive distillation (carbonization) of approximately 14,000 tons of coal.

4. During the carbonization process, approximately 170 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 100,000 gallons of crude tar, 14,000 to 30,000 gallons of light oil, 40 tons of elemental sulfur, and 50 tons of ammonia.

5. The resultant clean coke oven gas (COG) is used as the underfiring fuel for the coke oven batteries.

6. Air emissions from each coke battery underfiring system are exhausted to the atmosphere through the Battery Combustion Stack for that battery. The Battery Combustion Stacks do not have any emission control devices in place. Air emissions are minimized through good engineering practices. Emission limitations for each Battery Combustion Stack are described in the operating permit restrictions section for that battery.

III. FINDINGS OF VIOLATIONS

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

8. The Clairton Operating Permit, Condition V.G.1 (“Restrictions”), states:
 - q. The permittee shall not operate, or allow to be operated, Battery B coke ovens in such manner that, at any time, emissions from the combustion stack serving such battery exceed a particulate concentration of 0.015 grains per dry standard cubic foot.
9. The Clairton Operating Permit, Condition V.G.2 (“Testing Requirements”), states:
 - a. The permittee shall have PM, PM_{2.5}, and PM₁₀ emissions stack tests performed on the combustion stack of Coke Battery B at least once every two (2) years to demonstrate compliance with the mass emission standard in Condition V.G.1.q above. Particulate emission tests shall be conducted according to the methodology specified in 40 CFR 60, Appendix A, Methods 1 through 5, 201A and 202 (or other method specified). The permittee shall submit a stack test protocol to the Department at least 45 days prior to the test dates. During each stack test performed, simultaneous visible emission evaluations shall be conducted according to the methodology specified in 40 CFR 60, Appendix A, Method 9, except for the provisions of Section 2.5 of Method 9. [§2103.12.h.1; §2108.02.e; Second Consent Decree, dated June 24, 1993]
10. On July 15, 2021, U.S. Steel conducted the previous emissions testing for Battery B Combustion Stack.
11. On June 20, 2023, U.S. Steel conducted emissions testing on the Battery B Combustion Stack.
12. On August 11, 2023, via email, ACHD received a report summarizing the results of the June 20, 2023 emissions testing. The report indicated that the Battery B Combustion Stack exceeded the permit limits for filterable and total PM. The ACHD determined that this test was invalid due to contamination of the sample probe by buildup of material in the sample port. As the test was invalid, the results were unable to be used by ACHD to determine compliance with applicable limits.

13. On August 22, 2023, U.S. Steel retested Battery B Combustion Stack, and, on September 20, 2023, ACHD received the results. The retest results indicated that the retest was a valid test and that US Steel was in compliance with applicable limits.

14. The August 22, 2023, retest was deemed valid by ACHD and no exceedances were reported. U.S. Steel failed to conduct a valid test within two years of the July 15, 2021 test. U.S. Steel violated Condition V.G.2 of the Clairton Operating Permit.

IV. ORDER

NOW THEREFORE, pursuant to the authority granted to the ACHD by Article XXI §§ 2109.02 and 2109.06 and the Local Health Administration Law, 19 P.S. § 12010, it is hereby ORDERED that:

15. For the violation set forth in the preceding paragraphs, U.S. Steel is hereby assessed a civil penalty of **TWO THOUSAND EIGHT HUNDRED SIXTY DOLLARS** (\$2,860.00). The civil penalty is as follows:

A. <u>Gravity Based Component</u>	Gravity Based Penalty	Violations	Total Gravity Penalty
Violation			
Failing to conduct a valid stack test within 2 years of the prior test V.G.2 (Article XXI, § 2102.03.c)	\$1,300.00	1	\$1,300.00
GRAVITY COMPONENT SUBTOTAL			\$1,300.00
<hr/>			
B. <u>Adjustment Factors</u>			
Compliance History: 9 Issued violations in last 2 years			\$ 1,300.00
Title V Source:			\$ 260.00
TOTAL CIVIL PENALTY			\$ 2,860.00

16. U.S. 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.

17. 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 U.S. Steel to minimize such violations and to prevent future violations; and U.S. Steel’s compliance history.

18. Pursuant to Article XXI § 2109.06.a.5. and Article XI § 1104.A (“Hearings and Appeals”), of the Allegheny County Health Department Rules and Regulations, you are notified that if you are aggrieved by this Order, you must file a Notice of Appeal 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 of the ACHD or the Hearing Officer so orders. If you do not timely appeal, the terms of this Order shall become final.

19. Please be aware that if you wish to appeal this Order, within thirty (30) days of receipt of this Order, you must also either forward the penalty amount to the ACHD for placement in an escrow account, post an appeal bond to the ACHD in the amount of the penalty, or claim an inability to prepay the penalty or post a bond. Failure to take such steps shall result in a waiver of any right to challenge this Order. 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 19th day of October 2023, in Allegheny County,
Pennsylvania.



Allason Holt
Air Quality
Compliance and Enforcement Program Manager

10/19/2023
Date