

**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. 200202

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

United States Steel  
Corporation – Clairton Plant

**ENFORCEMENT ORDER**

**NOW**, this 21<sup>st</sup> day of February, 2020, 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 Works). Clairton Coke Works operates ten coke batteries and produces approximately 10,000 tons of coke per day from the destructive distillation (carbonization) of more than 16,000 tons of coal. During the carbonization process,

approximately 215 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 145,000 gallons of crude coal tar, 55,000 gallons of light oil, 35 tons of elemental sulfur, and 50 tons of anhydrous ammonia.

3. The Department has issued to U.S. Steel an installation permit (IP#0052-I011b) which requires it to conduct stack tests with respect to its C Battery PEC systems in order to determine compliance with its emission limits.

4. After a review of the C Battery PEC System test report received from United States Steel Corporation (hereinafter “U.S. Steel”) on December 13, 2019, the ACHD determined that U.S. Steel failed their emissions test conducted October 8-11, 14, 2019 for filterable particulate matter (PM). The result shown in Table 1 constitutes a violation of the emission limit indicated in Installation Permit #0052-I011b.

<b>Pollutant</b>	<b>Average Result</b>	<b>Permit Limit</b>
<b>PM</b>	12.3 lb/hr	3.4 lb/hr

Table 1

5. During a retest of the C Battery PEC System on November 18-22, 2019, test results indicated compliance with the emission limit in Installation Permit #0052-I011b. See Table 2 below.

<b>Pollutant</b>	<b>Average Result</b>	<b>Permit Limit</b>
<b>PM</b>	0.1 lb/hr	3.4 lb/hr

Table 2

6. The ACHD has determined that U.S. 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 during the October 8-11, 14, 2019 stack test. Specifically,

U.S. Steel exceeded the lb/hr emission limit for particulate matter in Installation Permit #0052-I011b, Condition V.A.1.hh. 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.

**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:

7. For the violation set forth in the preceding paragraphs, U.S. Steel, is hereby assessed a civil penalty of THIRTEEN THOUSAND TWO HUNDRED DOLLARS (\$13,200.00).

The civil penalty is as follows:

**A. Gravity Based Component**

<b>Violation</b>	<b>Gravity Based Penalty</b>	<b>Violation Counts</b>	<b>Total Gravity Penalty</b>
§ 2102.03 Failed C Battery PEC System Test - PM (October 2019)	\$6,000.00	1	\$6,000.00
<b>Gravity Component Subtotal</b>			<b>\$6,000.00</b>

**B. Adjustment Factors**

**Compliance History:** \$6,000.00  
8 Issued violations in last 2 years

**Title V Source:** \$1,200.00

**TOTAL CIVIL PENALTY** **\$13,200.00**

8. U.S. Steel shall pay the total 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.


9. 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.

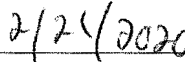
10. Please be advised that failure to comply with this Order within the times specified herein is a violation of Article XXI giving rise to the remedies provided by Article XXI § 2109.02 including civil penalties of up to \$25,000 per violation per day.

11. Pursuant to 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, a Notice of Appeal shall be filed 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 so orders. In the absence of a timely appeal, the terms of this Order shall become final. Notice of Appeal shall be filed no later than thirty (30) days after receipt of written notice or issuance of the action by which the Appellant is aggrieved.

12. 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 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>.

**DONE** and **ENTERED** this 21st day of February, 2020, in Allegheny County, Pennsylvania.

  
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Dean DeLuca  
Air Quality Program Manager

  
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Date