

COUNTY OF



ALLEGHENY

SARA INNAMORATO
COUNTY EXECUTIVE

June 20, 2024

CERTIFIED MAIL –

Matt DeLibero
Director, Environmental, Reliability, & Operational Excellence
United States Steel Corporation
Clairton Plant
400 State Street
Clairton, PA 15025

RE: United States Steel – Clairton Plant; Demand for Stipulated Penalties Under Settlement Agreement and Order #190604 Section IX. Stipulated Penalties – January 1, 2023 through March 31, 2023 (1st Quarter 2023)

Dear Mr. DeLibero:

The Allegheny County Health Department is seeking enforcement of stipulated penalties pursuant to Section IX of Settlement Agreement and Order #190604 (SAO). The Department has determined that United States Steel is in violation of Article XXI, § 2102.03.c, and various provisions of § 2105.21, of the ACHD's Rules and Regulations by failing to meet the applicable requirements stated in Article XXI, § 2105.21 and ACHD Installation Permit #0052-I011b.

The stipulated penalties were calculated pursuant to Section IX, of the SOA from the violations observed by the Department's Coke Oven Process Technicians and Method 303 contractor, and including data reported by U.S. Steel, at your company's Clairton Plant, during the first quarter of 2023, January 1, 2023 through March 31, 2023. The violations and associated penalties are set forth in the attachments.

The Department has calculated a potential penalty in the amount of **\$79,525.00**. A settlement agreement was reached between ACHD and United States Steel on September 22, 2023 regarding previous stipulated penalties. This penalty is being offset by the terms of the September 22, 2023 Settlement Agreement.



**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



The civil penalties for stipulated penalties in this letter pertains only to the violations listed in the attachments that transpired from January 1, 2023 through March 31, 2023. Also, this letter in no way precludes the Department from issuing demands for other stipulated penalties for other violations which may have occurred from January 1, 2023 through March 31, 2023.

If you have any questions concerning this demand for stipulated penalties, please contact Allason Holt, Program Manager -- Compliance and Enforcement Program, at 412-578-8122 or by email at: Allason.Holt@AlleghenyCounty.us. Thank you for your prompt attention to this matter.

Sincerely,

A handwritten signature in black ink, appearing to read "Allason Holt". The signature is fluid and cursive, with a large initial "A" and "H".

Allason Holt
Program Manager -- Compliance and Enforcement Program

cc: Matt DeLibero (MDelibero@uss.com)
Mark Jeffrey (MJeffrey@uss.com)
Mike Dzurinko (MDzurinko@uss.com)

AQ Documents File

Quarters Selected for Report

Q1 2023

\$79,525

Total Penalty

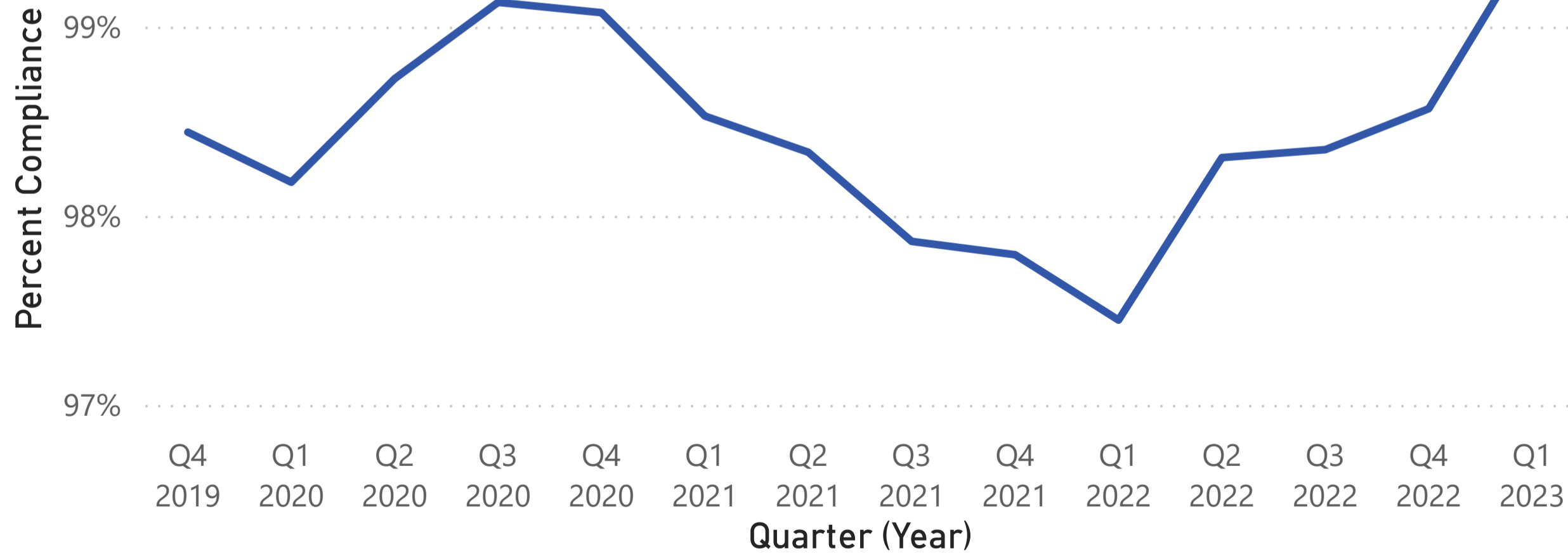
U.S. Steel, Third Party Method 303, and ACHD Coke Oven Inspections
 Stipulated Penalties **COA 190604**
 (Q1 2023)

Quarter (Year)	Penalty from Method 303 Inspections	Penalty from ACHD Inspections	Penalty from USS Inspections	COMs Penalty	Total Penalty
▲					
☐ Q1 2023					
Jan 2023	\$5,625		\$4,875	\$2,000	\$12,500
Feb 2023	\$7,000	\$1,875	\$10,000	\$2,400	\$21,275
Mar 2023	\$6,250	\$24,500	\$9,000	\$6,000	\$45,750
Total	\$18,875	\$26,375	\$23,875	\$10,400	\$79,525
Total	\$18,875	\$26,375	\$23,875	\$10,400	\$79,525

Quarterly Compliance (ACHD and Method 303 Inspections)

Quarter (Year)	ACHD Total Compliant	ACHD Total Inspections (w/o HO Doors)	ACHD % Compliance	Total M303 Compl Insps	Total M303 Inspections	Method 303 % Compliance	Total Compliant Insp (ACHD and M303)	Total Inspections (ACHD and M303)	Percent Compliance
Q4 2022	244	295	82.71%	3674	3680	99.84%	3918	3975	98.57%
Q1 2023	32	39	82.05%	3498	3510	99.66%	3530	3549	99.46%
Total	276	334	82.63%	7172	7190	99.75%	7448	7524	98.99%

Quarterly Compliance



Average Percent Compliance

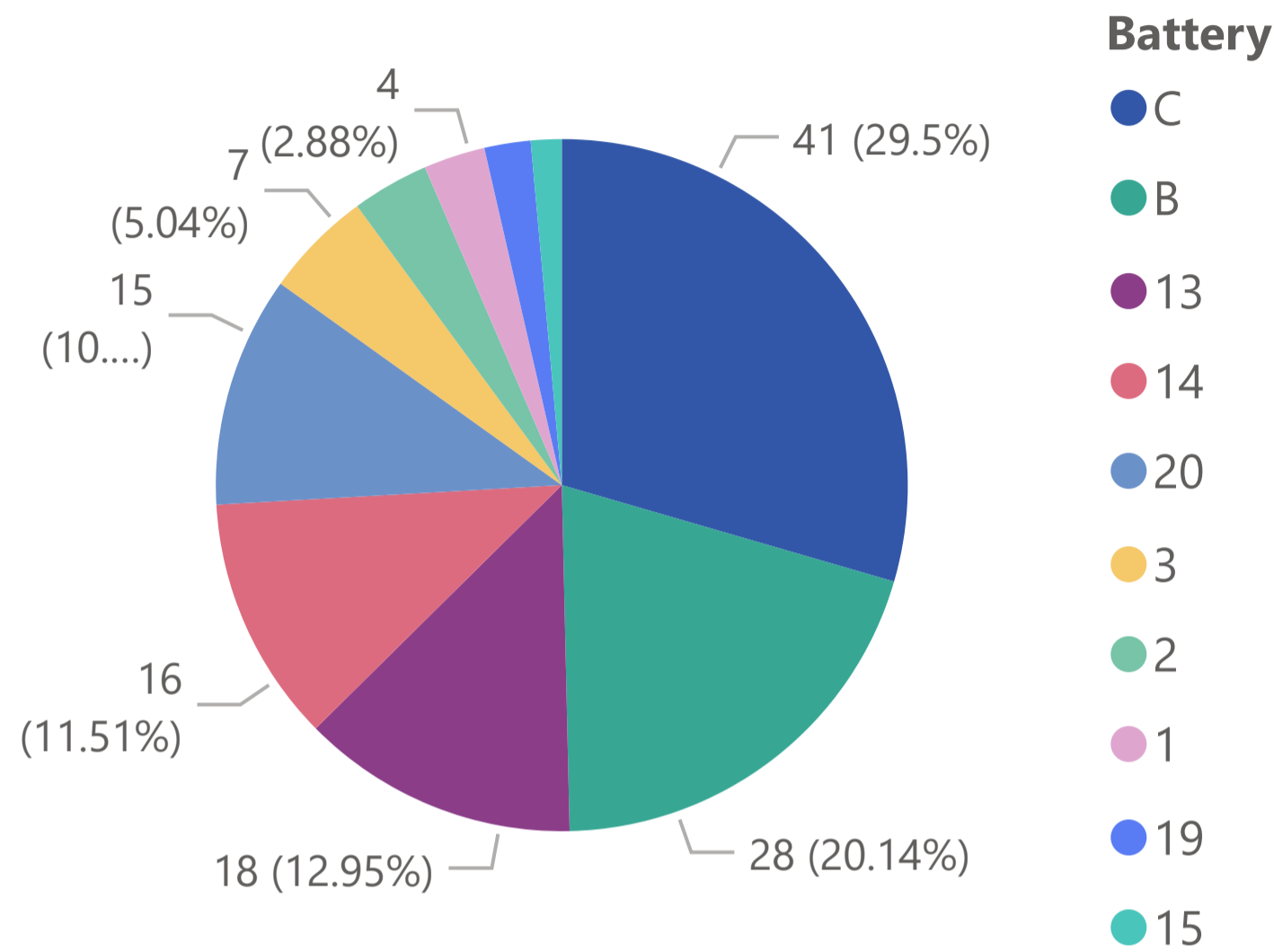
Quarter (Year)	Quarterly Compliance (1 previous Q)	Quarterly Compliance (current Qs)	Compliance Average of Current and Previous Quarters
Q1 2023	98.566%	99.465%	99.015%
Q4 2022	98.350%	98.566%	98.458%
Q3 2022	98.308%	98.350%	98.329%
Q2 2022	97.449%	98.308%	97.878%
Q1 2022	97.794%	97.449%	97.621%
Q4 2021	97.864%	97.794%	97.829%
Q3 2021	98.336%	97.864%	98.100%
Q2 2021	98.527%	98.336%	98.432%
Q1 2021	99.074%	98.527%	98.801%
Q4 2020	98.128%	98.074%	98.101%

Penalty Summary for ACHD Inspections

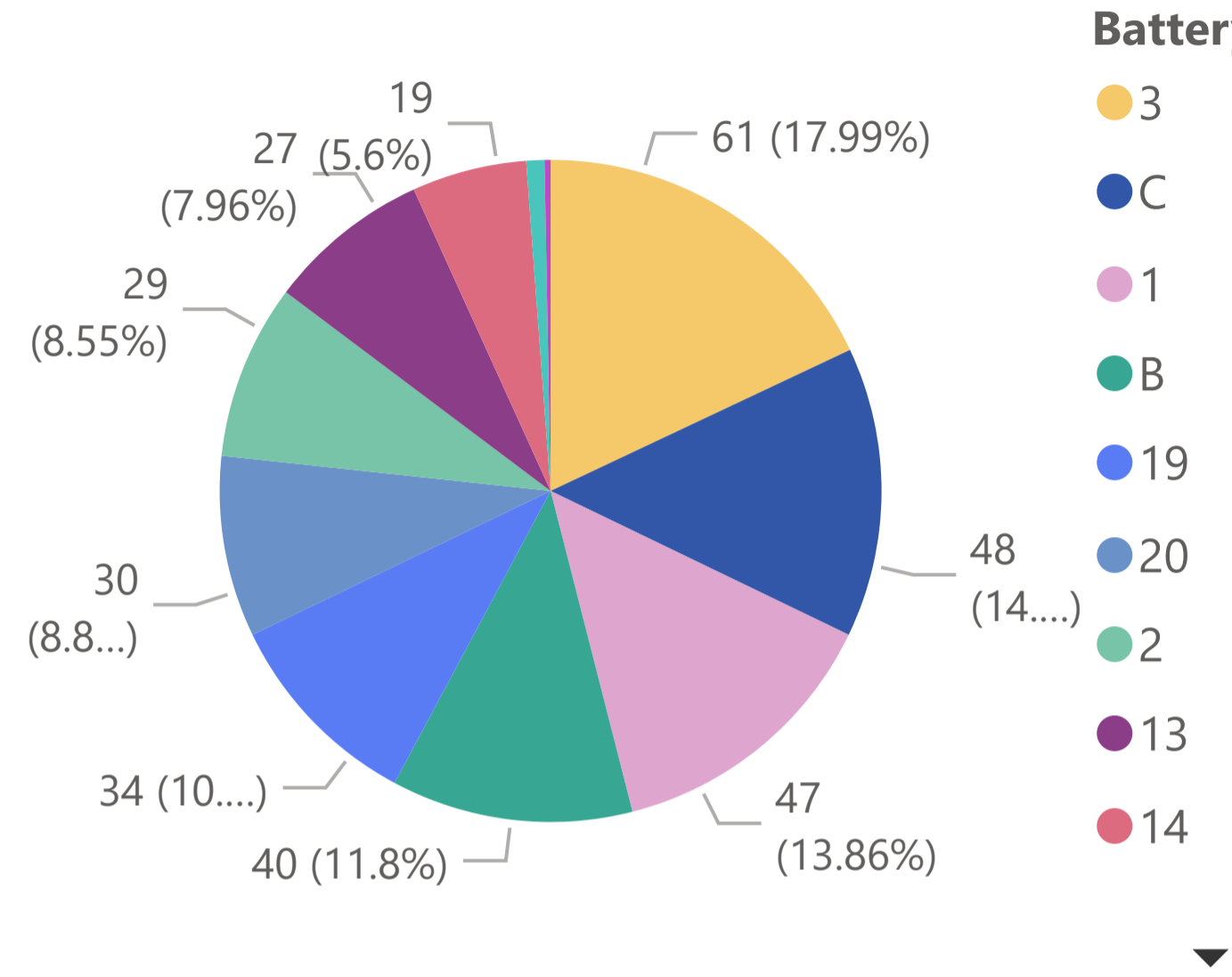
Quarter (Year)	ACHD Charging Penalty	ACHD Soaking Penalty	ACHD Push Penalty	ACHD Travel Penalty	ACHD Doors Penalty	ACHD Lid Penalty	ACHD Offtake Penalty	ACHD HO Door Penalty	ACHD Total Penalties
▲									
☐ Q1 2023									
Feb 2023	\$1,875								\$1,875
Mar 2023	\$6,875				\$0	\$1,375	\$0	\$16,250	\$24,500
Total	\$8,750				\$0	\$1,375	\$0	\$16,250	\$26,375
Total	\$8,750				\$0	\$1,375	\$0	\$16,250	\$26,375

Non-Compliant Coke Oven Inspections Performed by ACHD

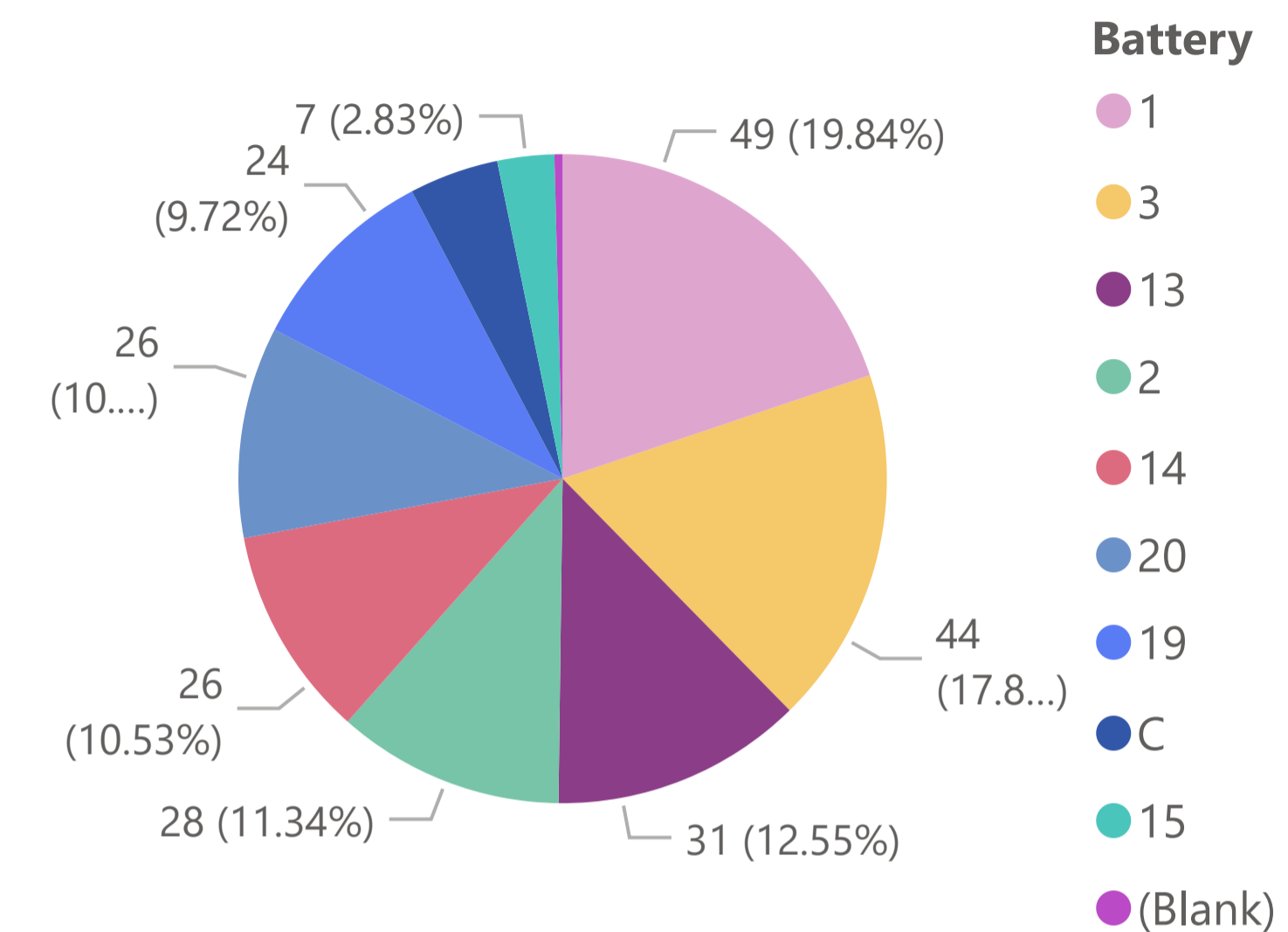
Charging Violations by Battery



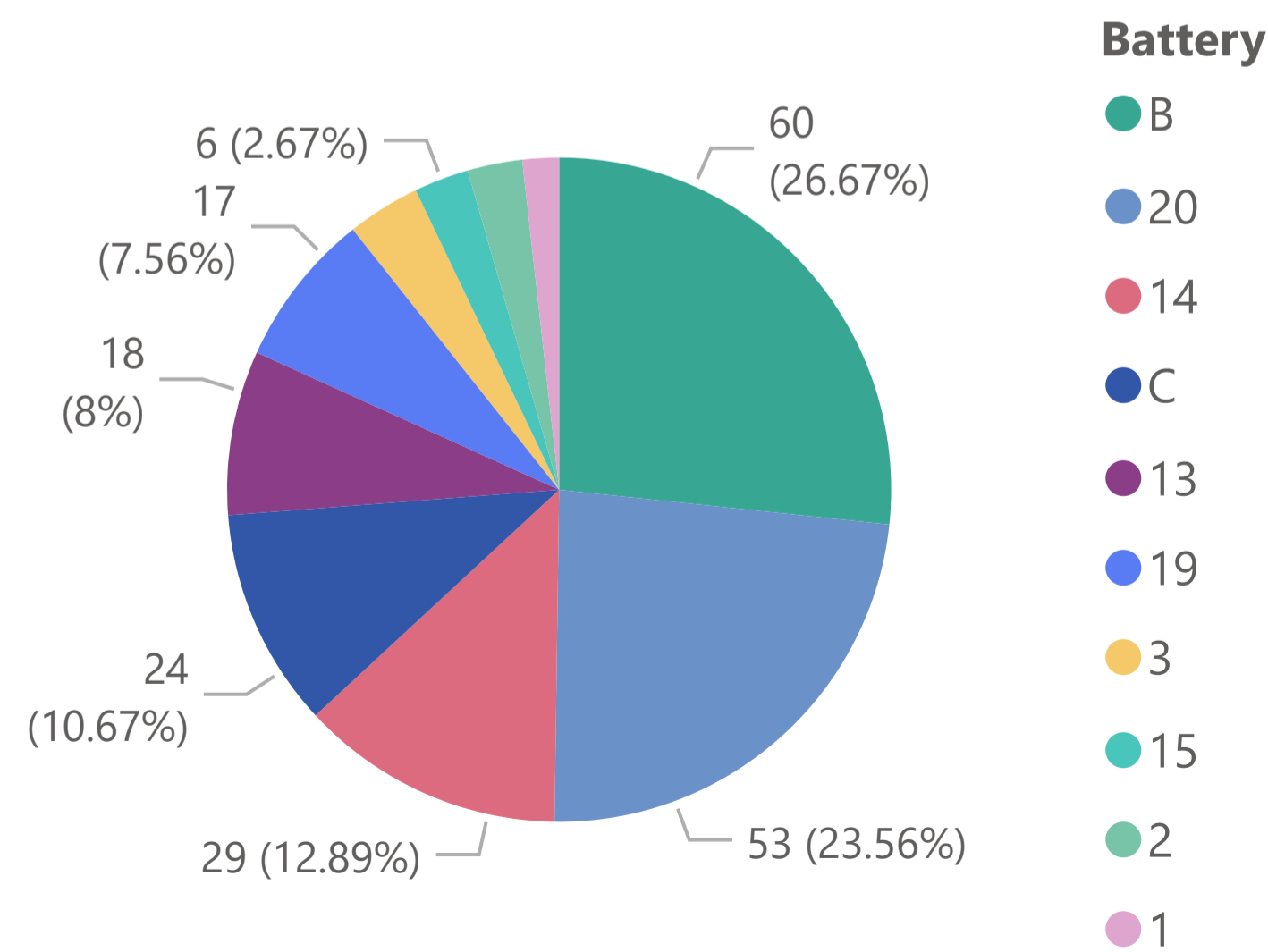
Push Violations by Battery



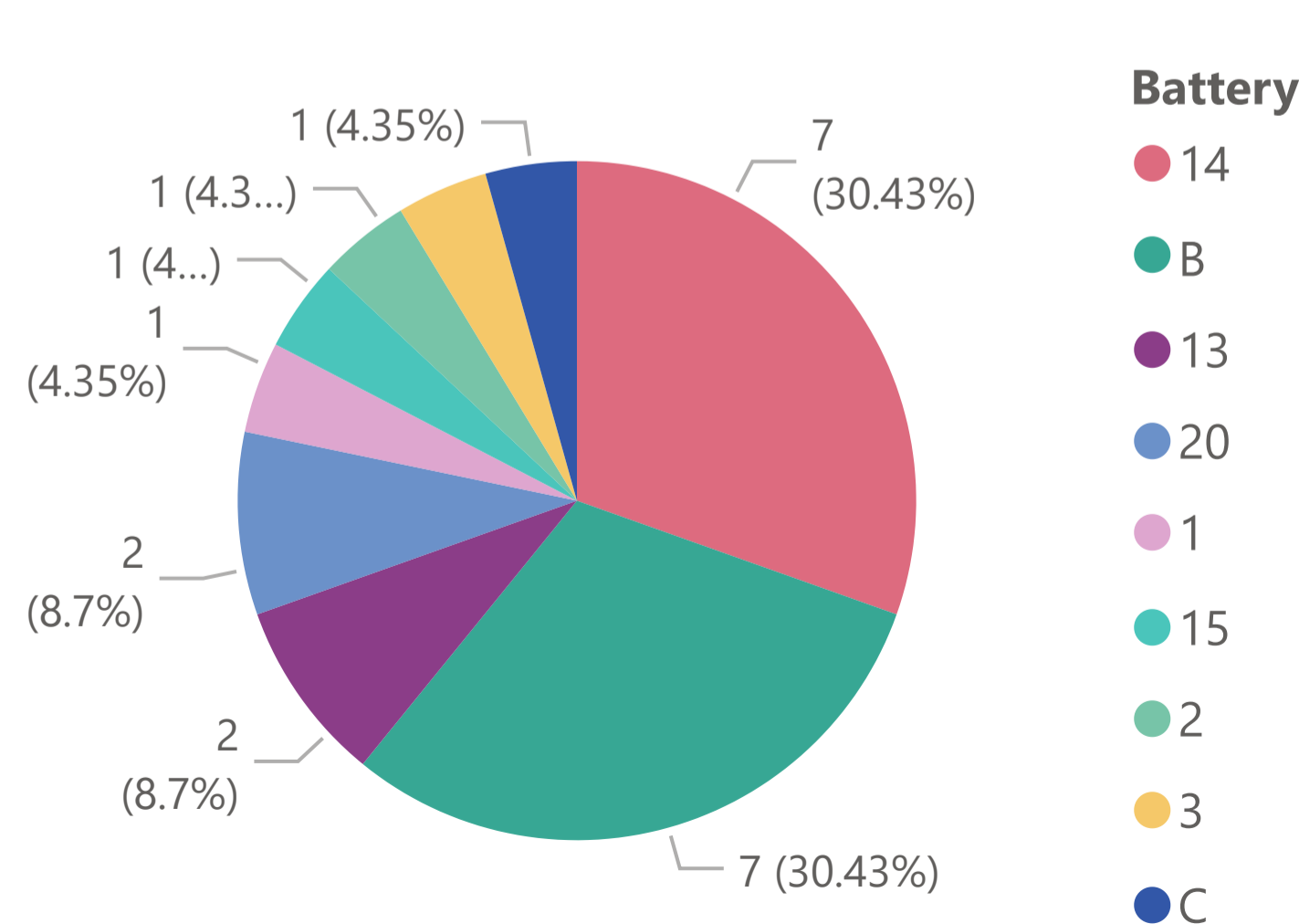
Travel Violations by Battery



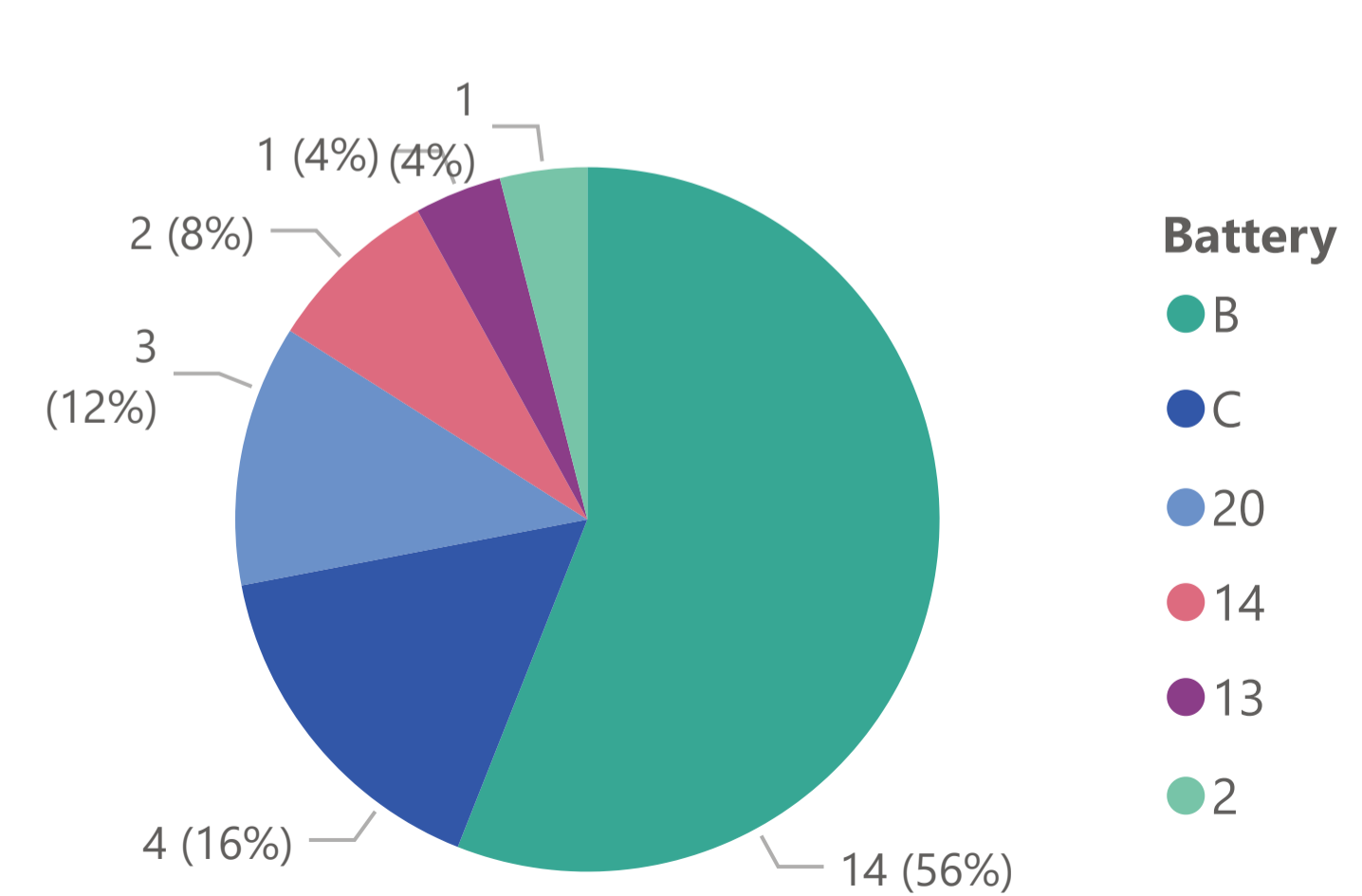
Soak Violations by Battery



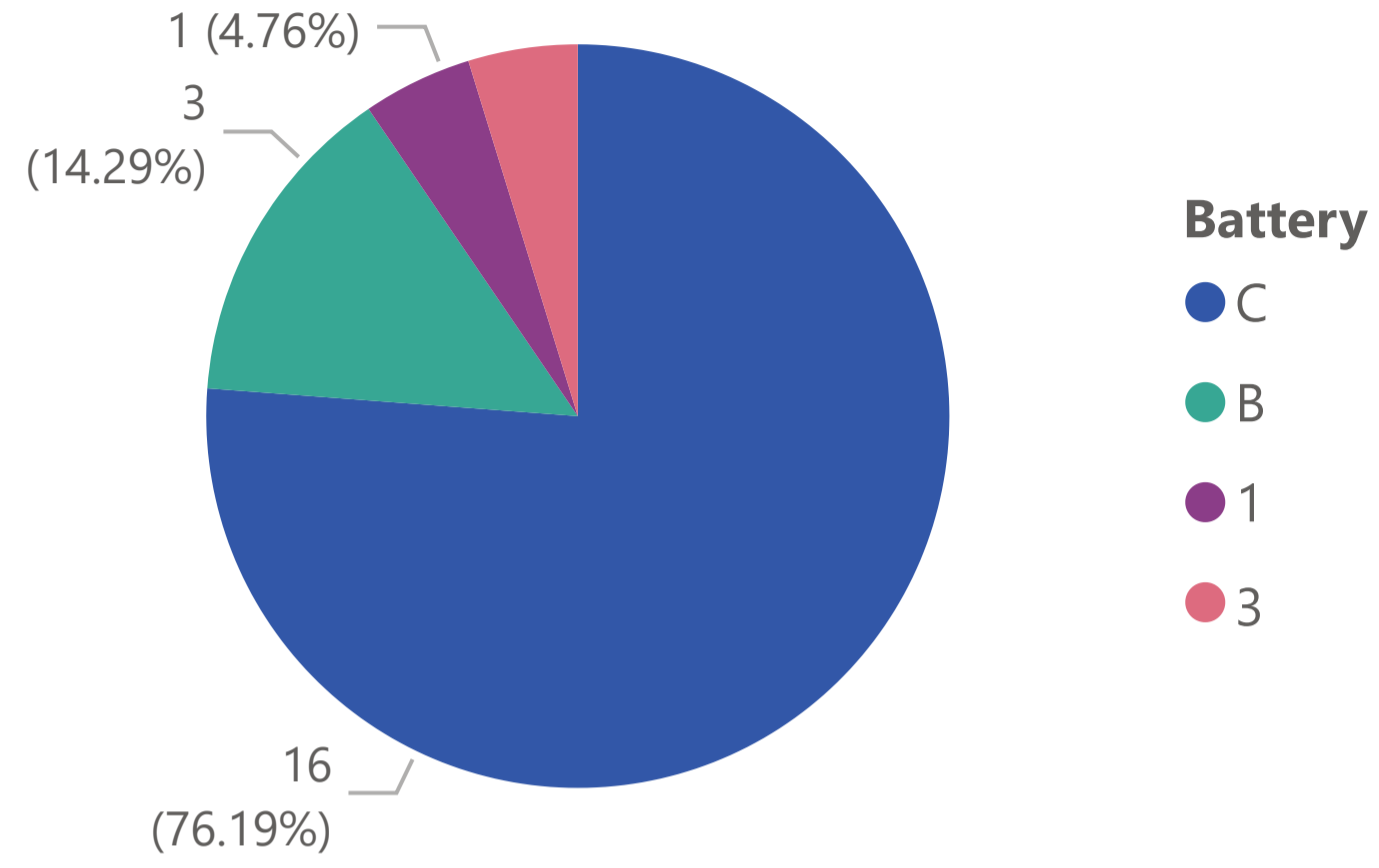
Topside (Offtakes) Violations by Battery



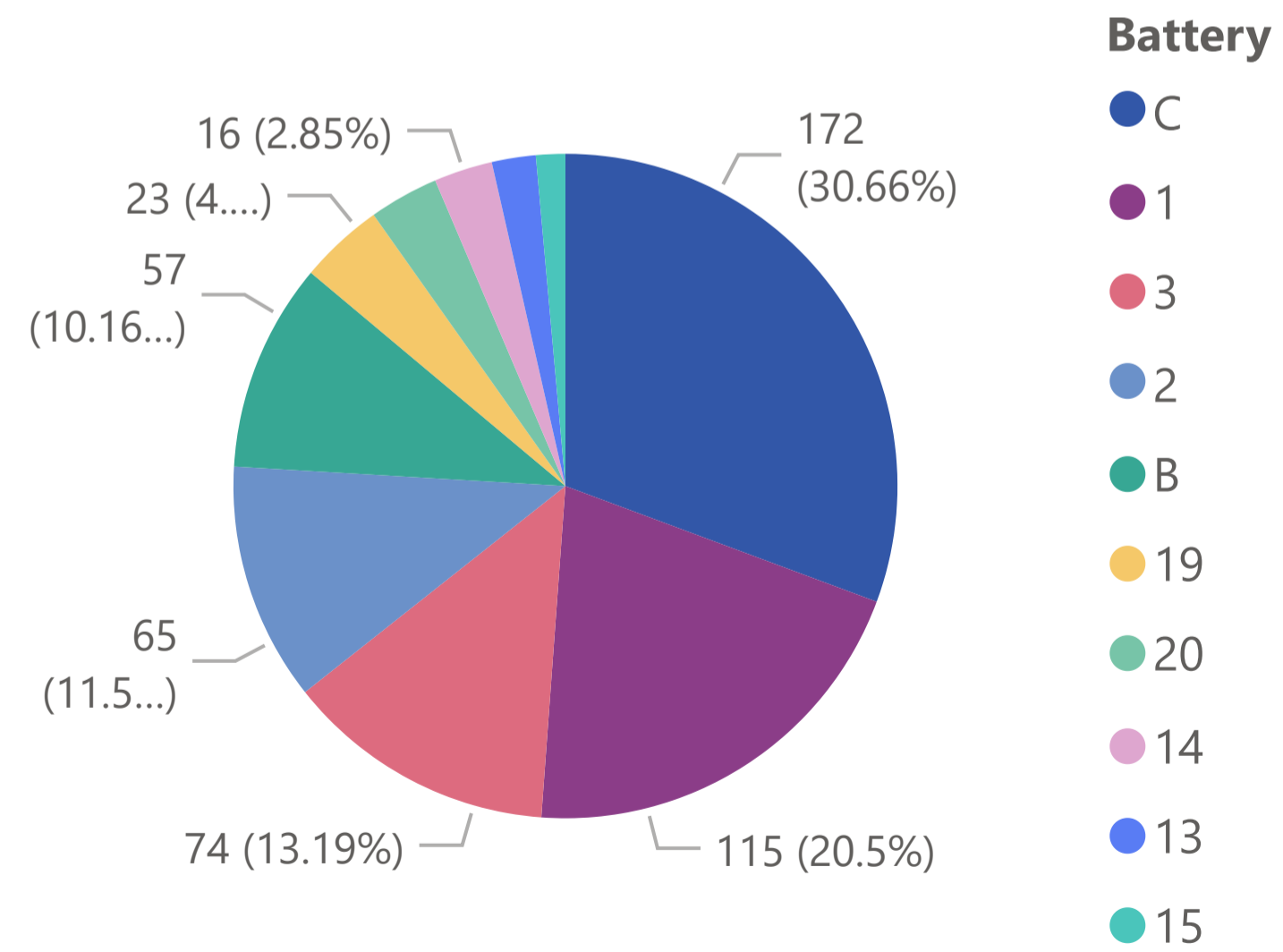
Topside (Lids) Violation by Battery



Percent Leaking Doors Violation by Battery



ACHD TTL H.O. Door Viols by Battery



Non-Compliant ACHD Charge Inspections and Penalties

Quarter (Year)	Date	Battery	Duration of readings (seconds)	Charge Severity Value	Charging Severity of Violation	Charging Penalty Multiplier	Charging Penalty	H2S Exceedance Penalty	SO2 Exceedance Penalty	ACHD Total Charging Penalty
Q1 2023	2/17/2023	20	90	1.62	Major	2.50	\$1,875			\$1,875
Q1 2023	3/1/2023	2	98	1.30	Moderate	1.50	\$1,125			\$1,125
Q1 2023	3/8/2023	B	87	1.57	Major	2.50	\$1,875			\$1,875
Q1 2023	3/10/2023	20	64	1.15	Low	1.00	\$750			\$750
Q1 2023	3/16/2023	C	58	1.05	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/16/2023	B	140	2.52	Major	2.50	\$1,875	\$250		\$2,125
Total								\$500		\$8,750

Non-Compliant ACHD Soaking Inspections and Penalties

Quarter (Year)	Date	Oven	Battery	pusher / coke (if viol.)	Severity of Violation	Soaking Penalty Multiplier	Soaking Penalty	H2S Penalty	SO2 Penalty	ACHD Soaking Penalty
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ACHD Non-Compliant Push Inspections and Penalties

Quarter (Year)	Date	Battery	Oven	Push Max Opacity	ACHD Push	Severity of Violation	Push Penalty Multiplier	Push Penalty	H2S Penalty	SO2 Penalty	ACHD Push Penalty
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Non-Compliant ACHD Travel Inspections and Penalties

Quarter (Year)	Date	Battery	Oven	Travel max opacity	ACHD Travel Severity of Violation	Travel Penalty Multiplier	Travel Penalty	H2S Penalty	SO2 Penalty	Total Travel Penalty
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Non-Compliant ACHD Doors Inspections and Penalties

Quarter (Year)	Date	Battery	Percent Leaking Doors	Severity Value	Door Leak Severity of Violation	Door Leak Penalty Multiplier	Door Penalty	H2S Penalty	SO2 Penalty	ACHD Doors Penalty
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Non-Compliant ACHD Topside (Lid) Inspections and Penalties

Quarter (Year)	Date	Battery	Percent Leaking Lids	Severity Value	Severity of Violation	Topsides (Lid)	Penalty Multiplier	Topside(Lids)	H2S Penalty	SO2 Penalty	ACHD Lid Penalty
Q1 2023	3/21/2023	2	2.46	1.23	Moderate		1.50		\$250		\$1,375
Total									\$250		\$1,375

Non-Compliant ACHD Topside (Offtake) Inspections and Penalties

Quarter (Year)	Date	Battery	Percent Leaking Offtakes	Severity Value	Severity of Violation	Topside (offtake) Penalty Multiplier	Topside Offtake Penalty	SO2 Penalty	Topside Offtake H2S Penalty	ACHD Total Offtake Penalty
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Non-Compliant ACHD Doors >40% Inspections and Penalties

Quarter (Year)	Date	Battery	Oven	opacity	H.O. Doors Severity of Violation	H.O Door Penalty Multiplier	H.O. Door Penalty	H2S Penalty	SO2 Penalty	ACHD Total HO Door Penalty
Q1 2023	3/21/2023	1	B9	45	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/21/2023	3	A9	50	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/21/2023	3	B22	50	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/21/2023	1	B4	50	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/21/2023	1	B7	50	Low	1.00	\$750	\$250		\$1,000
Q1 2023	3/21/2023	3	B18	55	Moderate	1.50	\$1,125	\$250		\$1,375
Q1 2023	3/21/2023	3	B16	75	Major	2.50	\$1,875	\$250		\$2,125
Q1 2023	3/21/2023	1	B11	100	Major	2.50	\$1,875	\$250		\$2,125
Q1 2023	3/22/2023	14	B6	60	Moderate	1.50	\$1,125	\$250		\$1,375
Q1 2023	3/22/2023	19	B19	75	Major	2.50	\$1,875	\$250		\$2,125
Q1 2023	3/22/2023	20	B8	100	Major	2.50	\$1,875	\$250		\$2,125
Total							\$13,500			\$16,250

Method 303 Non-Compliant Inspections

Quarter (Year) M303 TTL Charge Viol M303 TTL Door Viol M303 TTL Lid Viol M303 TTL Offtake Viol Method 303 Total Non-Compliant Inspections

Quarter (Year)	M303 TTL Charge Viol	M303 TTL Door Viol	M303 TTL Lid Viol	M303 TTL Offtake Viol	Method 303 Total Non-Compliant Inspections
Q1 2023	8	3		1	12
Jan 2023	4				4
Feb 2023	3			1	4
Mar 2023	1	3			4
Total	8	3		1	12

Quarter (Year) Total M303 Compl Insps Total M303 Inspections Method 303 % Compliance Method 303 Total Penalty

Q1 2023	3498	3510	99.66%	\$18,875
Total	3498	3510	99.66%	\$18,875

Method 303 Non-Compliant Inspections and Penalties

Quarter (Year)	Date	Battery	Charge(1-4) Severity of Violation	Charge(2-5) Severity of Violation	Laer Battery Charge Severity of Violation	Door Severity of Violation	Lid Leaks Severity of Violation	Offtake Leaks Severity of Violation	Method 303 Penalty	H2S Penalty	SO2 Penalty	Method 303 Total Penalty
Q1 2023	1/5/2023	14			Major				\$1,875			\$1,875
Q1 2023	1/18/2023	1	Major	Low					\$2,625			\$2,625
Q1 2023	1/19/2023	13			Moderate				\$1,125			\$1,125
Q1 2023	2/2/2023	C			Major				\$1,875			\$1,875
Q1 2023	2/3/2023	C			Major				\$1,875			\$1,875
Q1 2023	2/14/2023	B			Major				\$1,875	\$250		\$2,125
Q1 2023	2/27/2023	14						Moderate	\$1,125			\$1,125
Q1 2023	3/3/2023	B				Moderate			\$1,125			\$1,125
Q1 2023	3/12/2023	C				Major			\$1,875			\$1,875
Q1 2023	3/15/2023	20			Major				\$1,875			\$1,875
Q1 2023	3/16/2023	C				Moderate			\$1,125	\$250		\$1,375
Total										\$500		\$18,875

Summary of Penalties from USS Inspections

Quarter (Year)	Total USS Push Violations	Total USS Push Penalty	Total USS Travel Violations	Total USS Travel Penalty	USS Total Penalty
Q1 2023	19	\$15,875	10	\$8,000	\$23,875
Total	19	\$15,875	10	\$8,000	\$23,875

USS Non-Compliant Pushing Inspections and Penalties

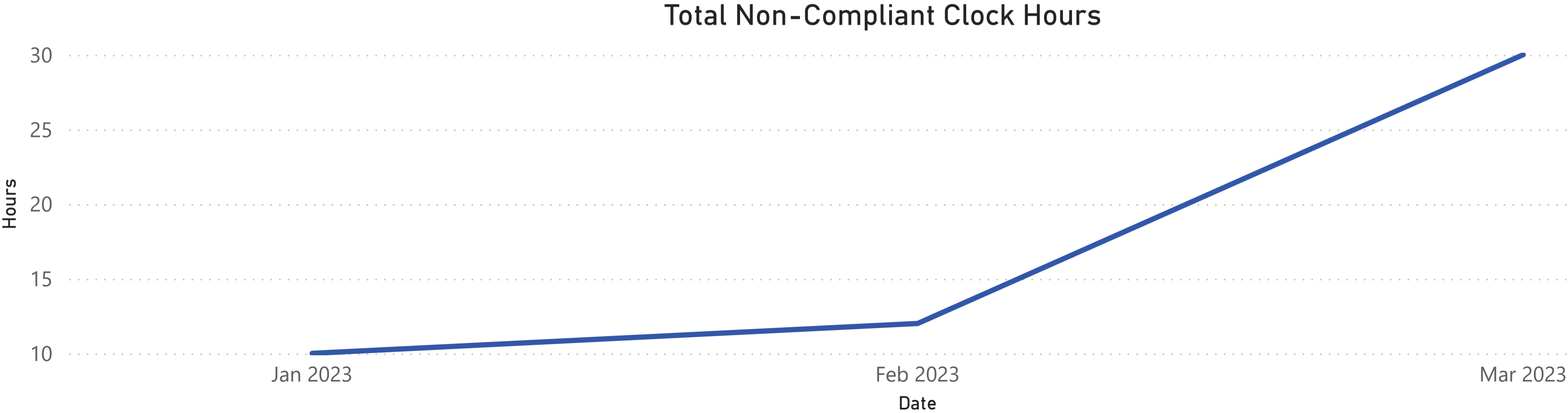
Quarter (Year)	Date	Battery	Oven	Opacity	Push Severity of Violation	Push Penalty Multiplier	USS Push Penalty	H2S Exceedance Penalty (push)	SO2 Exceedance Penalty (Push)	USS Total Push Penalty
Q1 2023	1/3/2023	20	C28	30	low	1.00	\$750			\$750
Q1 2023	1/22/2023	1	B7	40	moderate	1.50	\$1,125			\$1,125
Q1 2023	1/25/2023	13	B8	30	low	1.00	\$750			\$750
Q1 2023	2/1/2023	19	C25	30	low	1.00	\$750			\$750
Q1 2023	2/9/2023	20	C29	30	low	1.00	\$750			\$750
Q1 2023	2/12/2023	14	A26	30	low	1.00	\$750	250		\$1,000
Q1 2023	2/13/2023	19	B21	30	low	1.00	\$750	250		\$1,000
Q1 2023	2/16/2023	20	C17	30	low	1.00	\$750	250		\$1,000
Q1 2023	2/19/2023	13	A30	30	low	1.00	\$750			\$750
Q1 2023	2/19/2023	19	A29	30	low	1.00	\$750			\$750
Q1 2023	2/21/2023	19	B22	30	low	1.00	\$750			\$750
Q1 2023	2/23/2023	20	B26	30	low	1.00	\$750			\$750
Q1 2023	3/2/2023	20	B8	30	low	1.00	\$750			\$750
Q1 2023	3/5/2023	19	B6	30	low	1.00	\$750			\$750
Q1 2023	3/5/2023	20	B5	30	low	1.00	\$750			\$750
Q1 2023	3/14/2023	20	B13	30	low	1.00	\$750			\$750
Q1 2023	3/16/2023	20	C29	30	low	1.00	\$750	250		\$1,000
Q1 2023	3/22/2023	20	B26	35	low	1.00	\$750	250		\$1,000
Q1 2023	3/30/2023	20	B26	30	low	1.00	\$750			\$750
Total							\$14,625			\$15,875

USS Non-Compliant Travel Inspections and Penalties

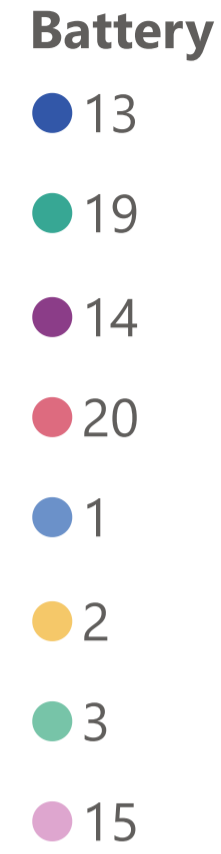
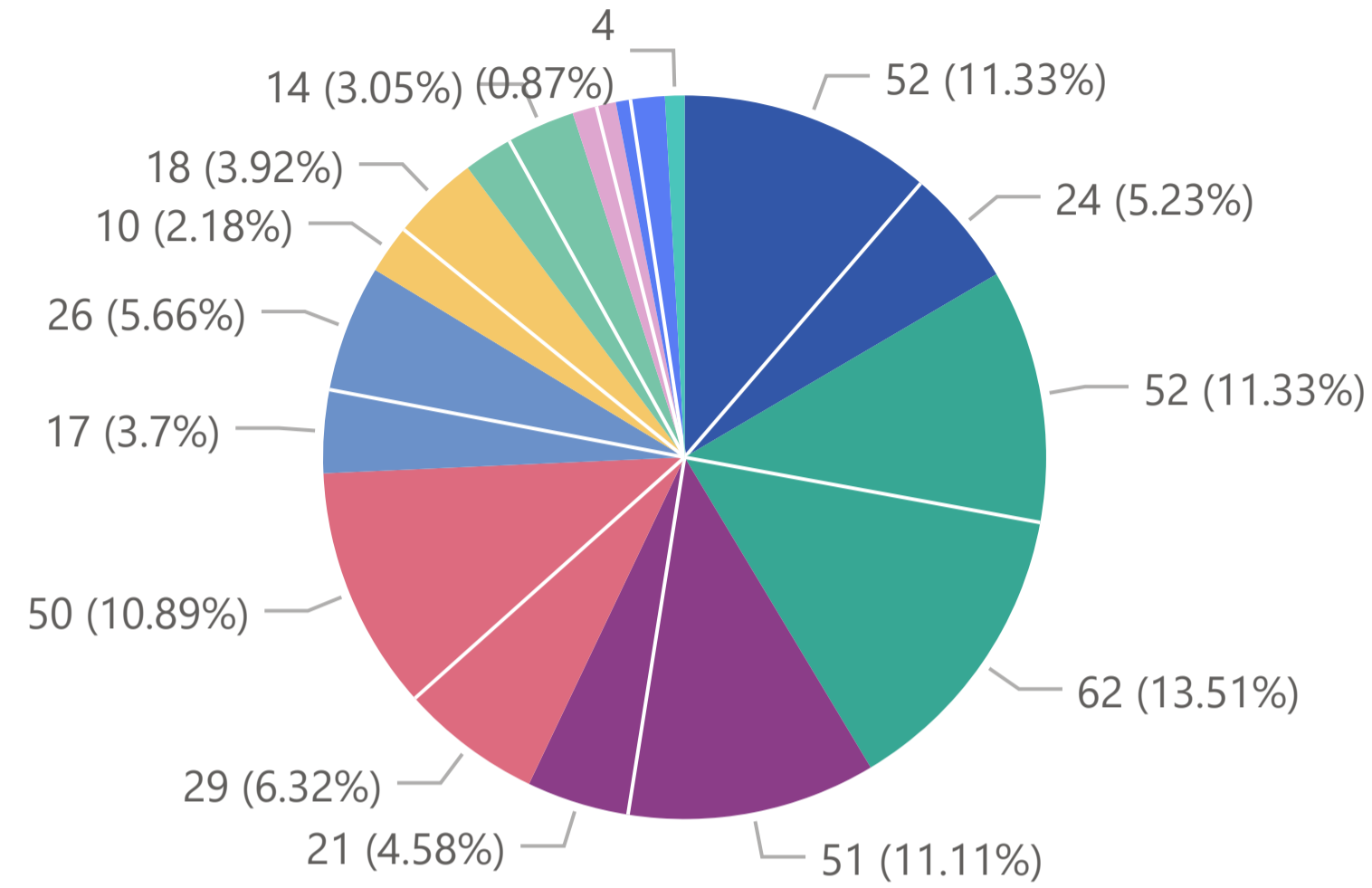
Quarter (Year)	Date	Battery	Oven	Opacity	Travel Severity of Violation	Travel Penalty Multiplier	USS Travel Penalty	H2S Exceedance Penalty (travel)	SO2 Exceedance Penalty (travel)	USS Total Travel Penalty
Q1 2023	1/3/2023	14	A29	15	low	1.00	\$750			\$750
Q1 2023	1/16/2023	13	A20	25	low	1.00	\$750			\$750
Q1 2023	1/25/2023	13	B8	20	low	1.00	\$750			\$750
Q1 2023	2/12/2023	14	A26	20	low	1.00	\$750	\$250		\$1,000
Q1 2023	2/19/2023	13	A30	20	low	1.00	\$750			\$750
Q1 2023	2/23/2023	20	B26	20	low	1.00	\$750			\$750
Q1 2023	3/5/2023	19	B6	25	low	1.00	\$750			\$750
Q1 2023	3/12/2023	19	B12	30	low	1.00	\$750			\$750
Q1 2023	3/14/2023	20	B13	15	low	1.00	\$750			\$750
Q1 2023	3/16/2023	14	A9	25	low	1.00	\$750	\$250		\$1,000
Total						10.00				\$8,000

Continuous Opacity Monitor Non-Compliant Clock Hours

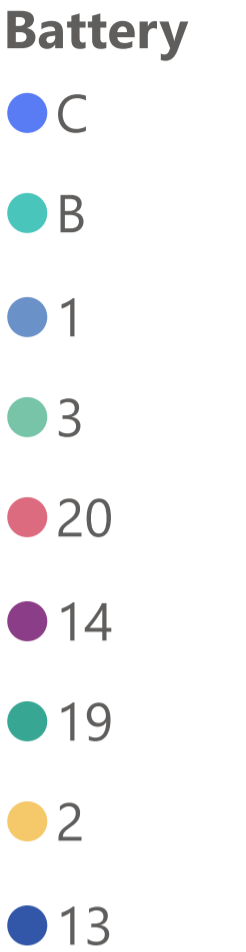
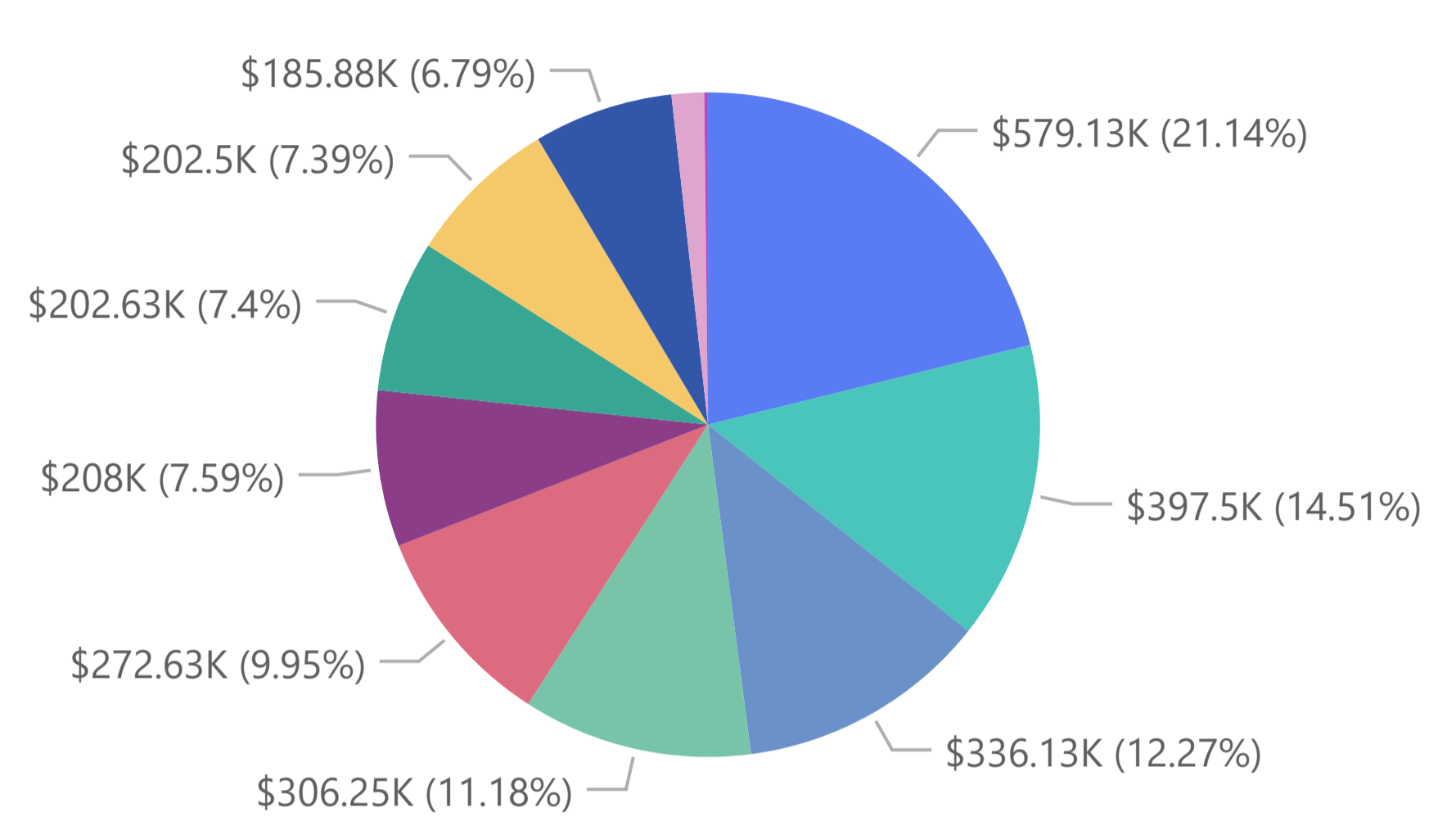
Quarter (Year)	Battery 1	Battery 2	Battery 3	Battery 13	Battery 14	Battery 15	Battery 19	Battery 20	Battery B	Battery C	Total Non-Compliant Clock Hours	COMs Penalty
Q1 2023	6	1	3	19	3	0	2	4	13	1	52	\$10,400
Total	6	1	3	19	3	0	2	4	13	1	52	\$10,400



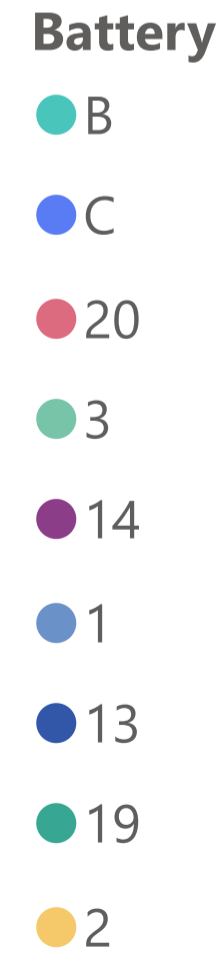
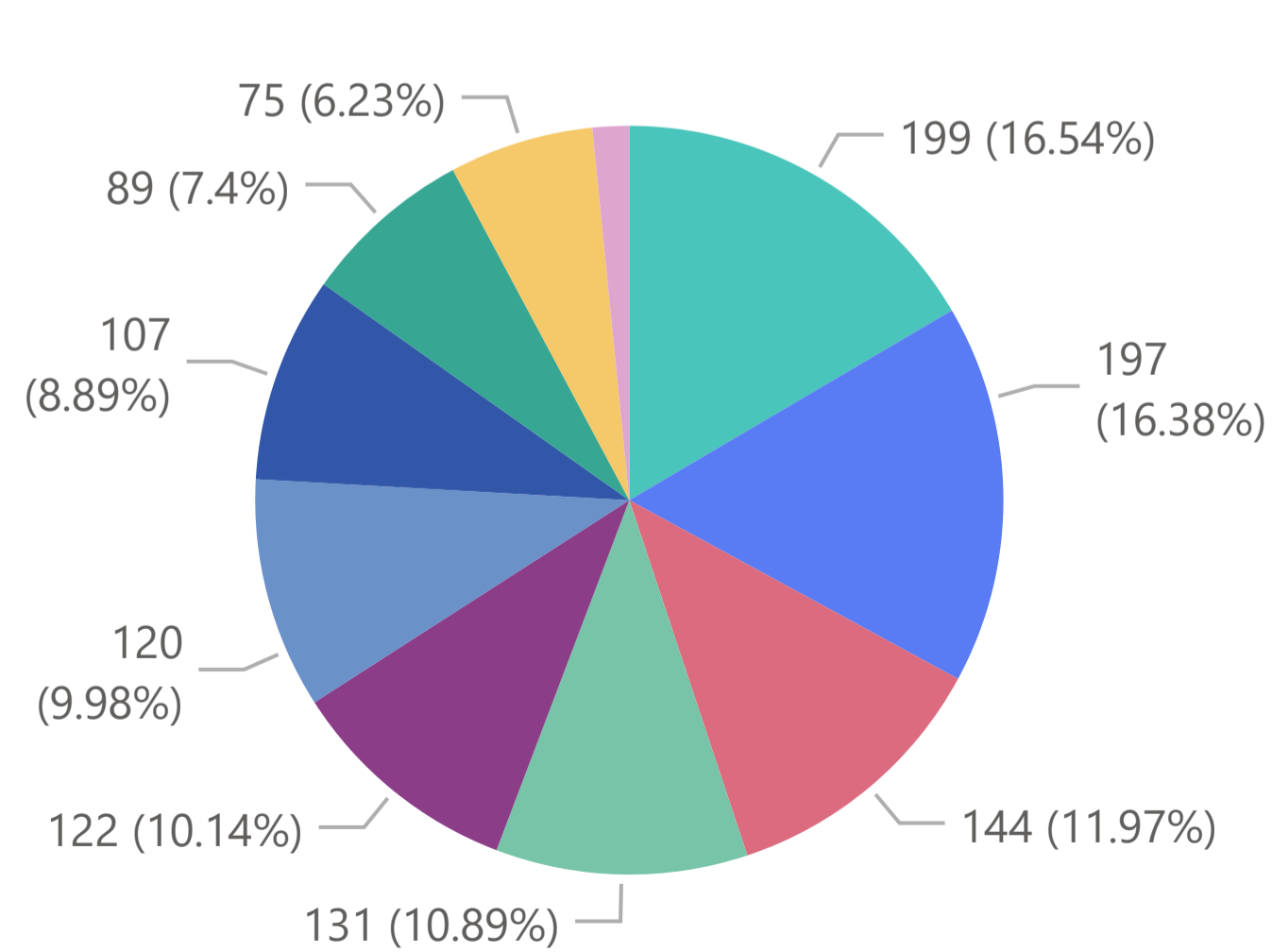
Non-Compliant Inspections: USS Push and Travel Inspections



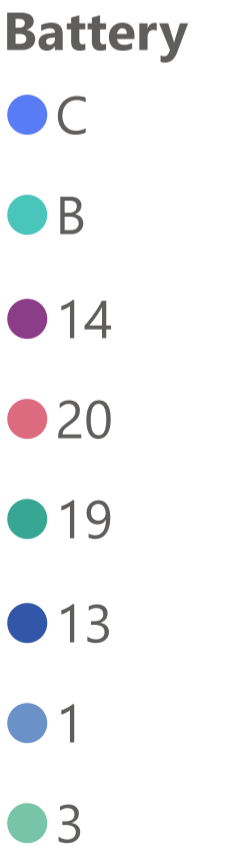
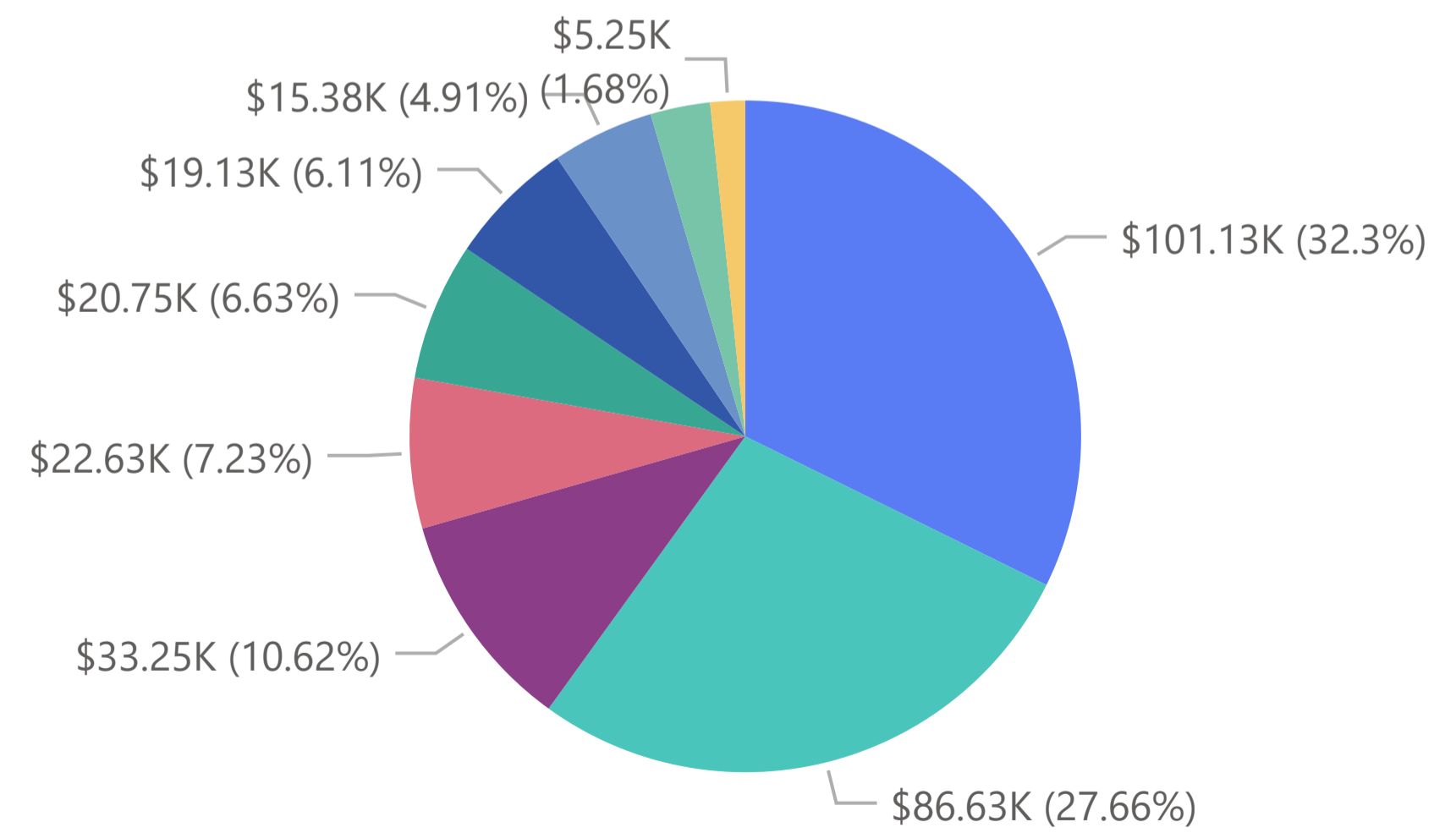
ACHD Total Penalties



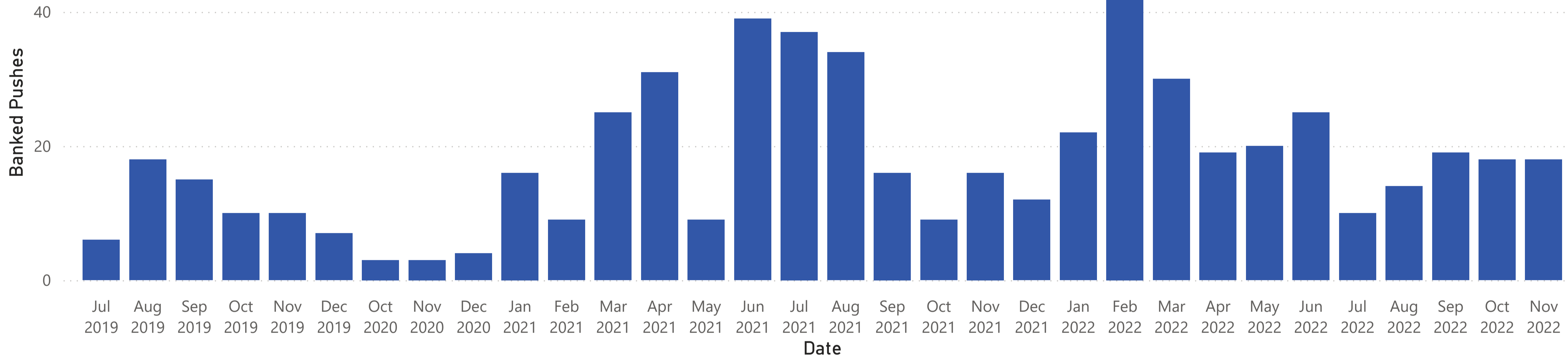
Total Non-Compliant Inspections



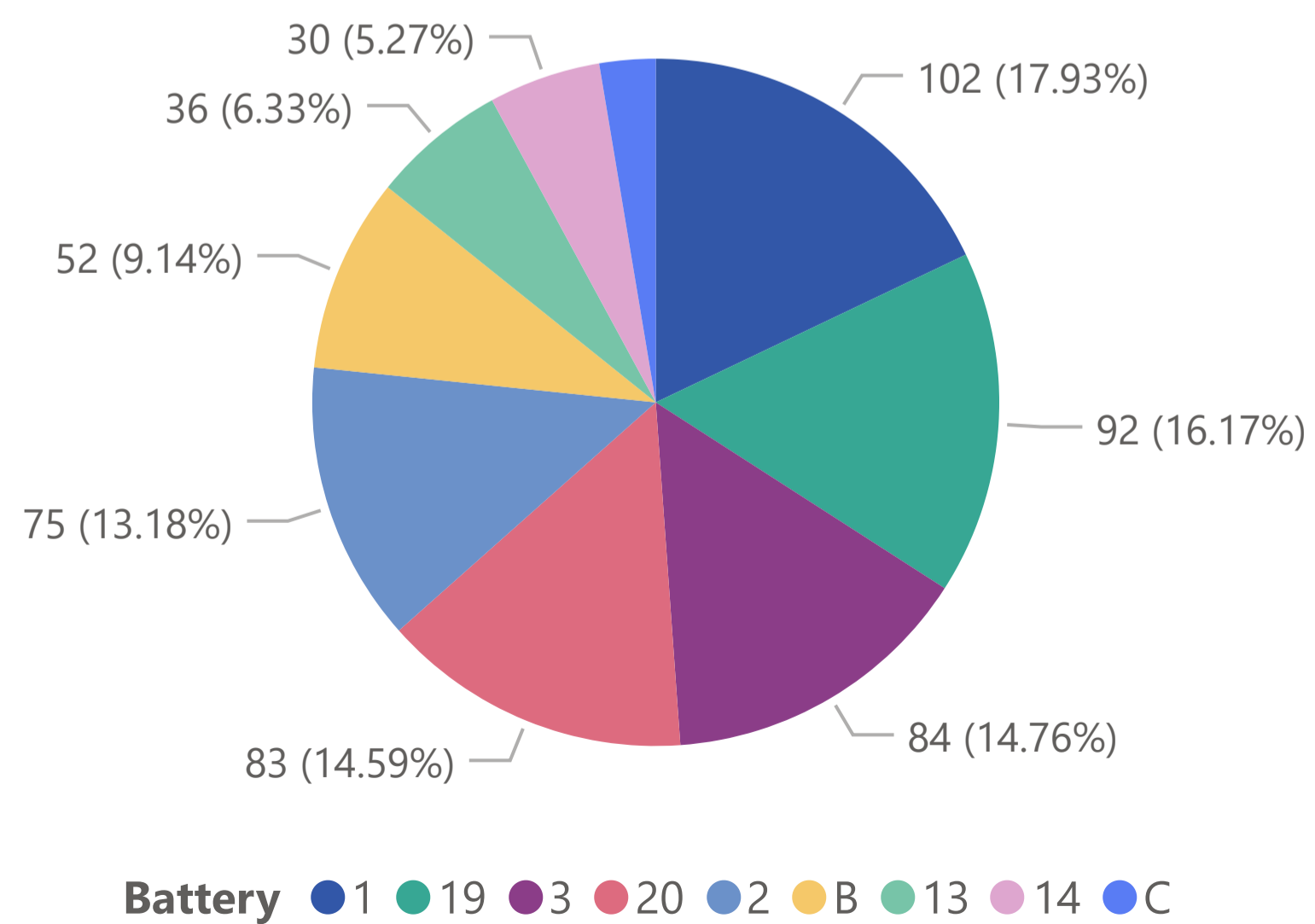
Method 303 Total Penalty



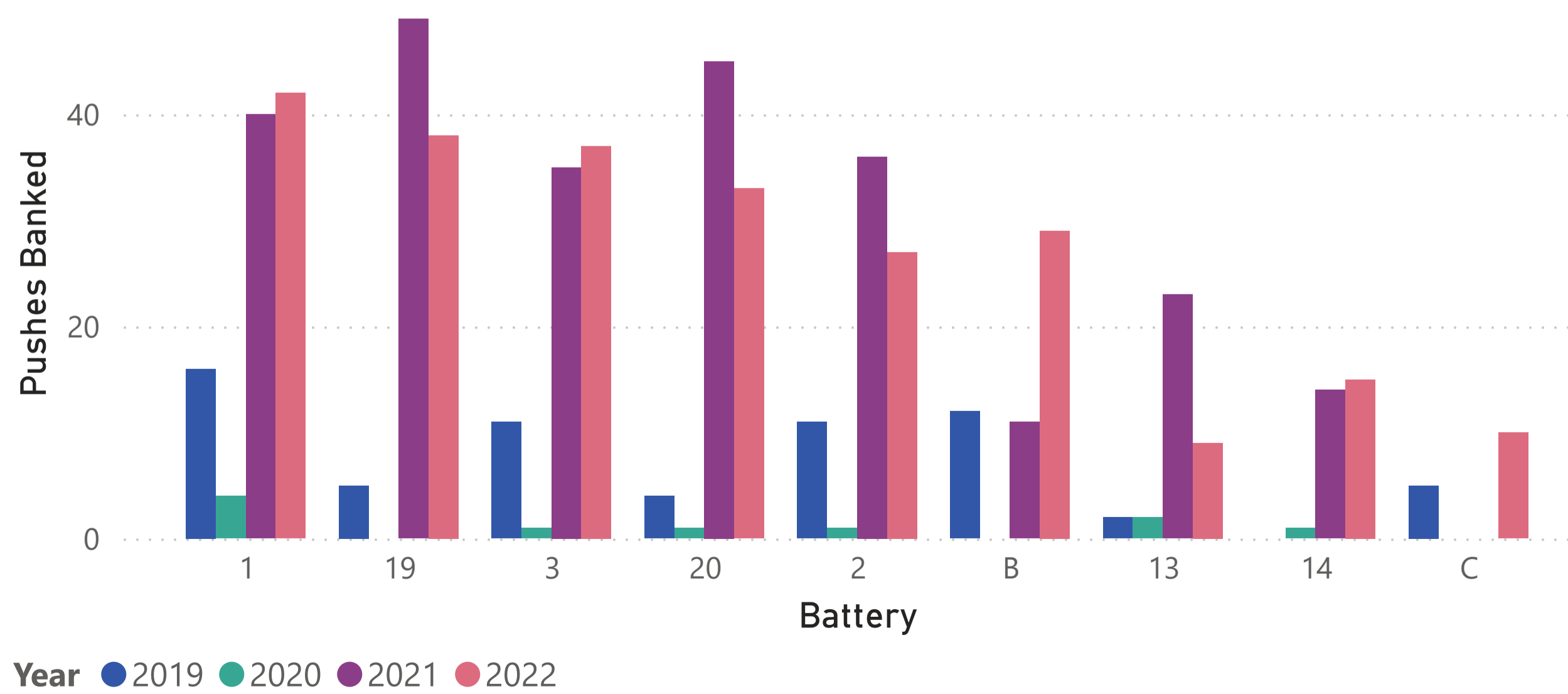
Total Instances of Banked Pushes



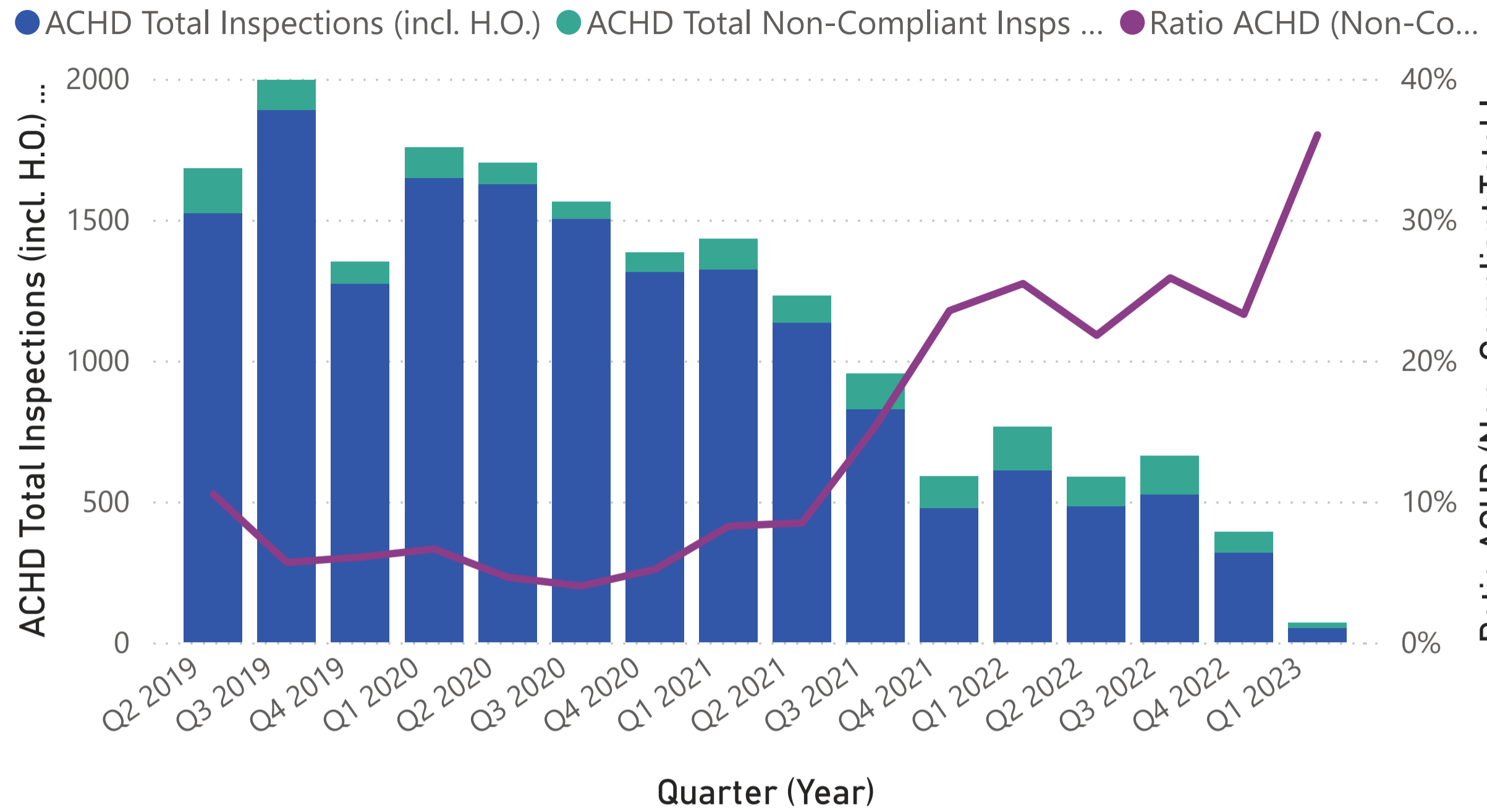
Pushes Banked by Battery



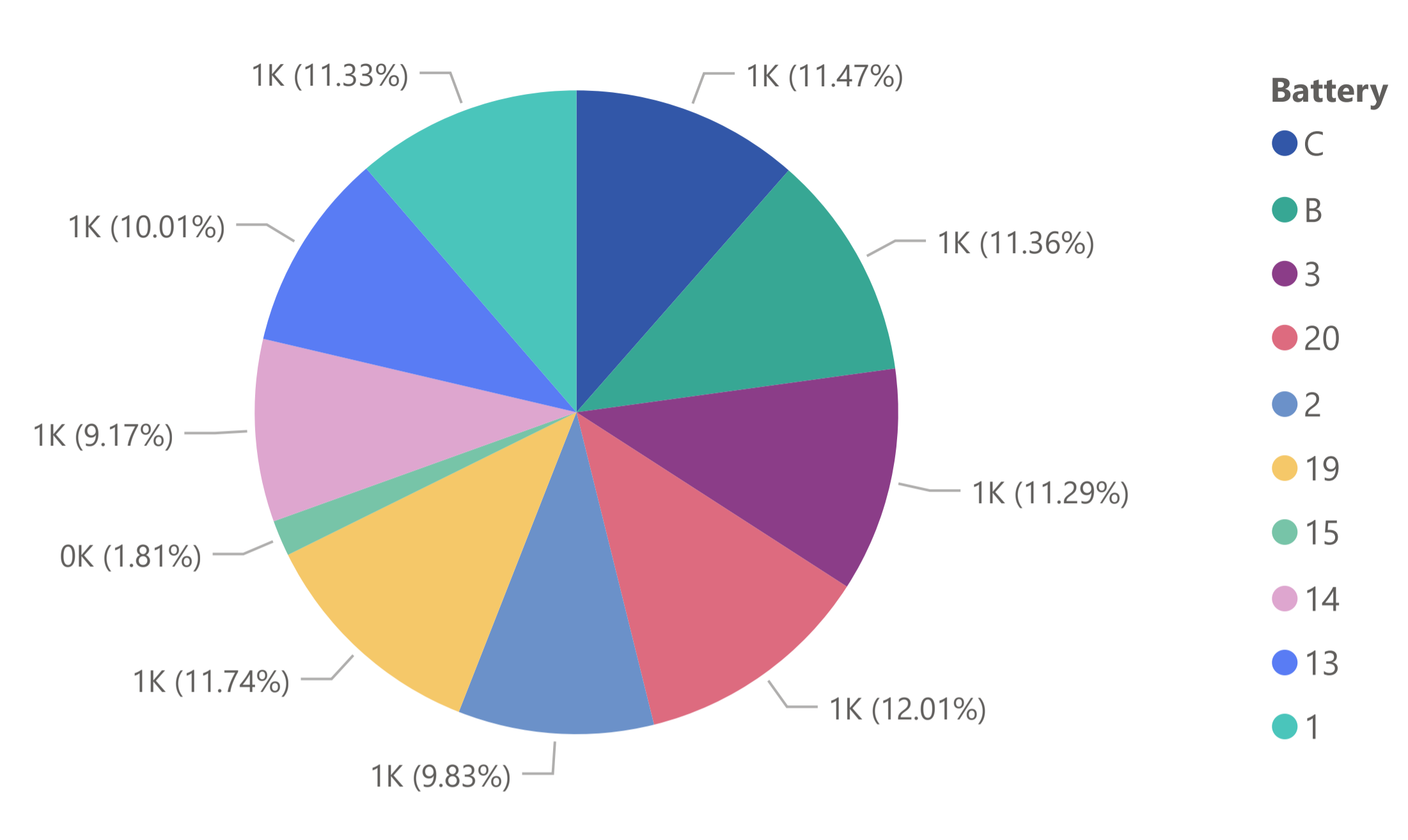
Pushes Banked by Battery and Year



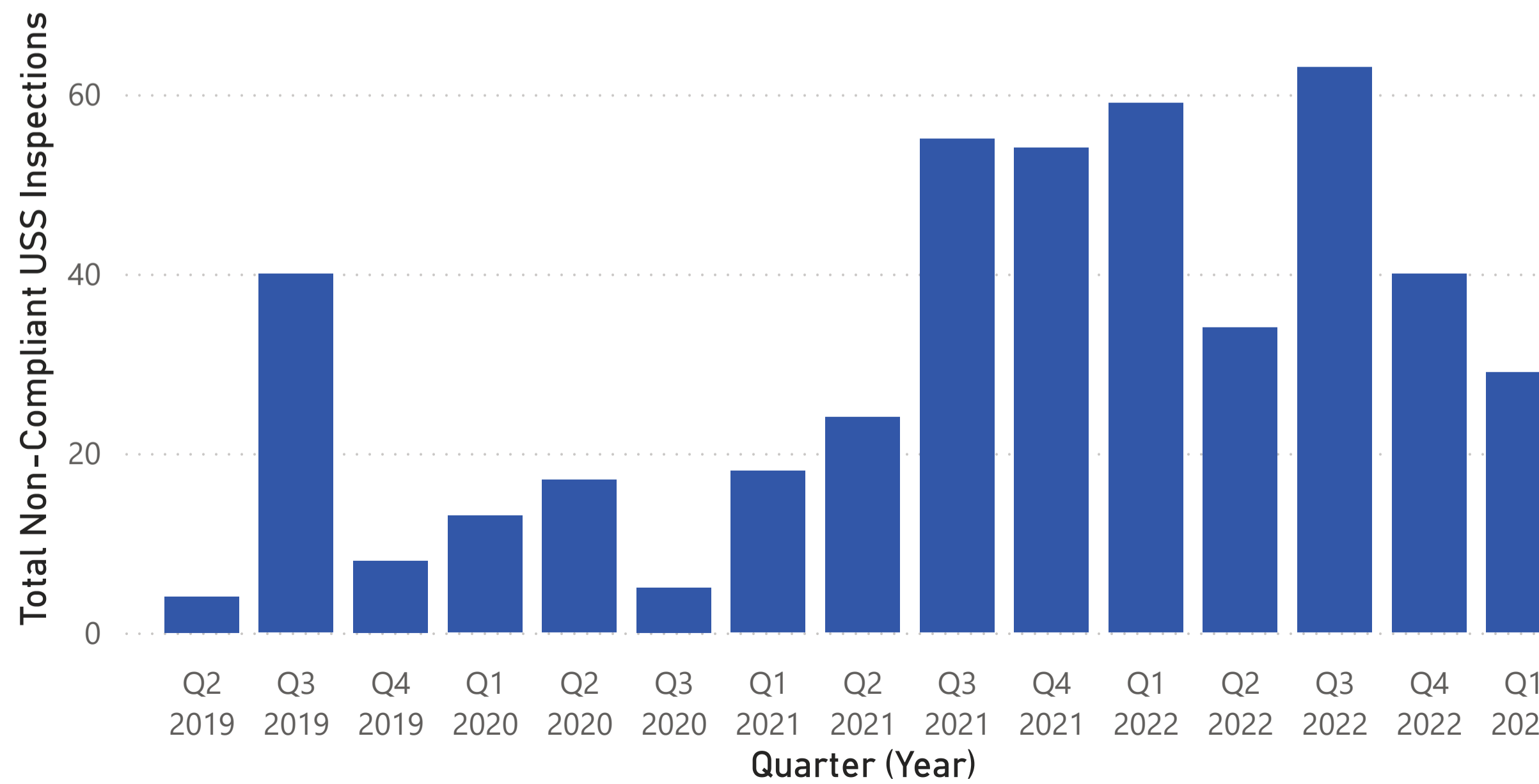
ACHD Total Inspections (SOA #190604)



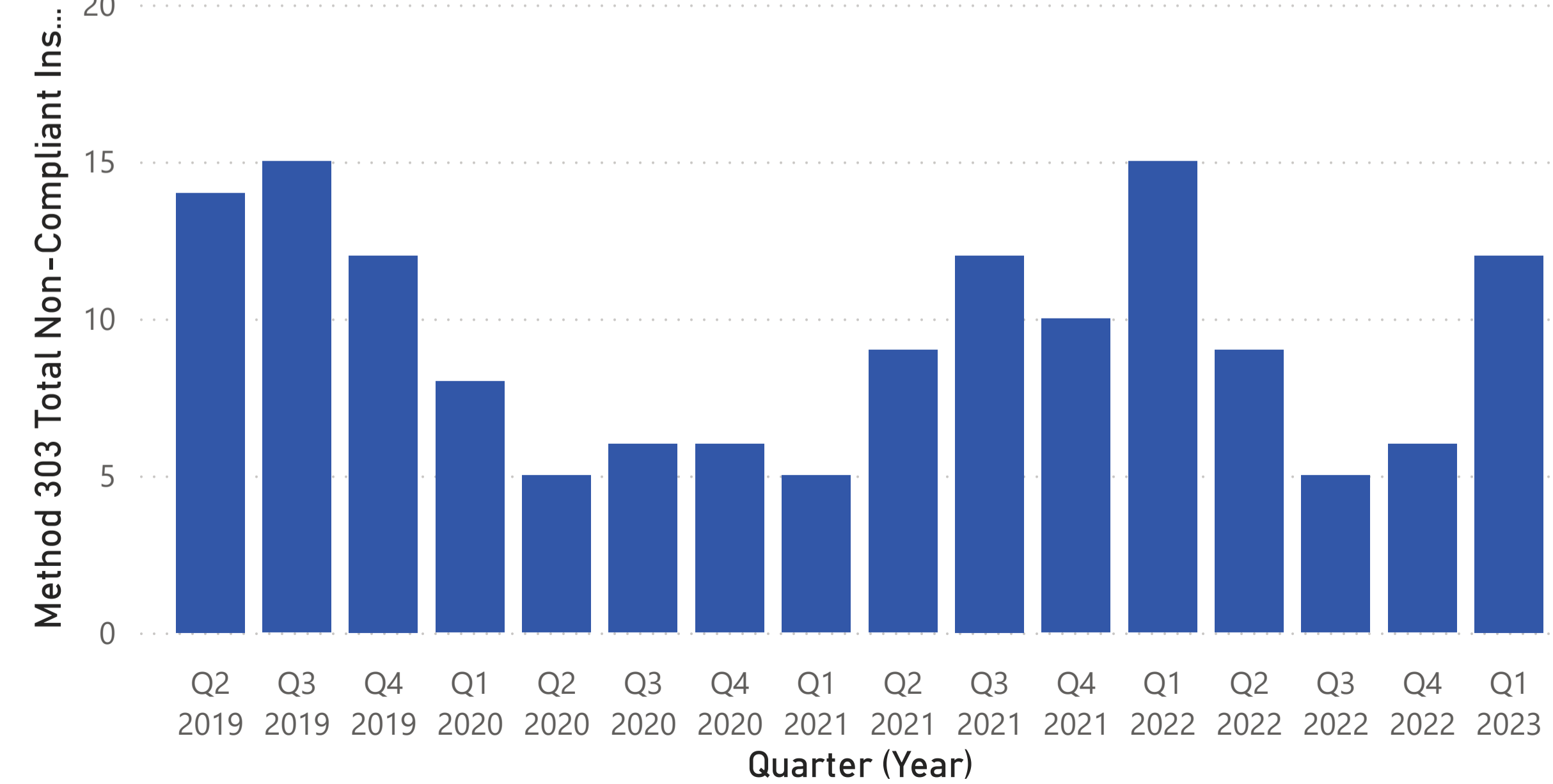
Non-Compliant Inspections (ACHD, M303, USS)



Non-Compliant Inspections Performed by U.S. Steel

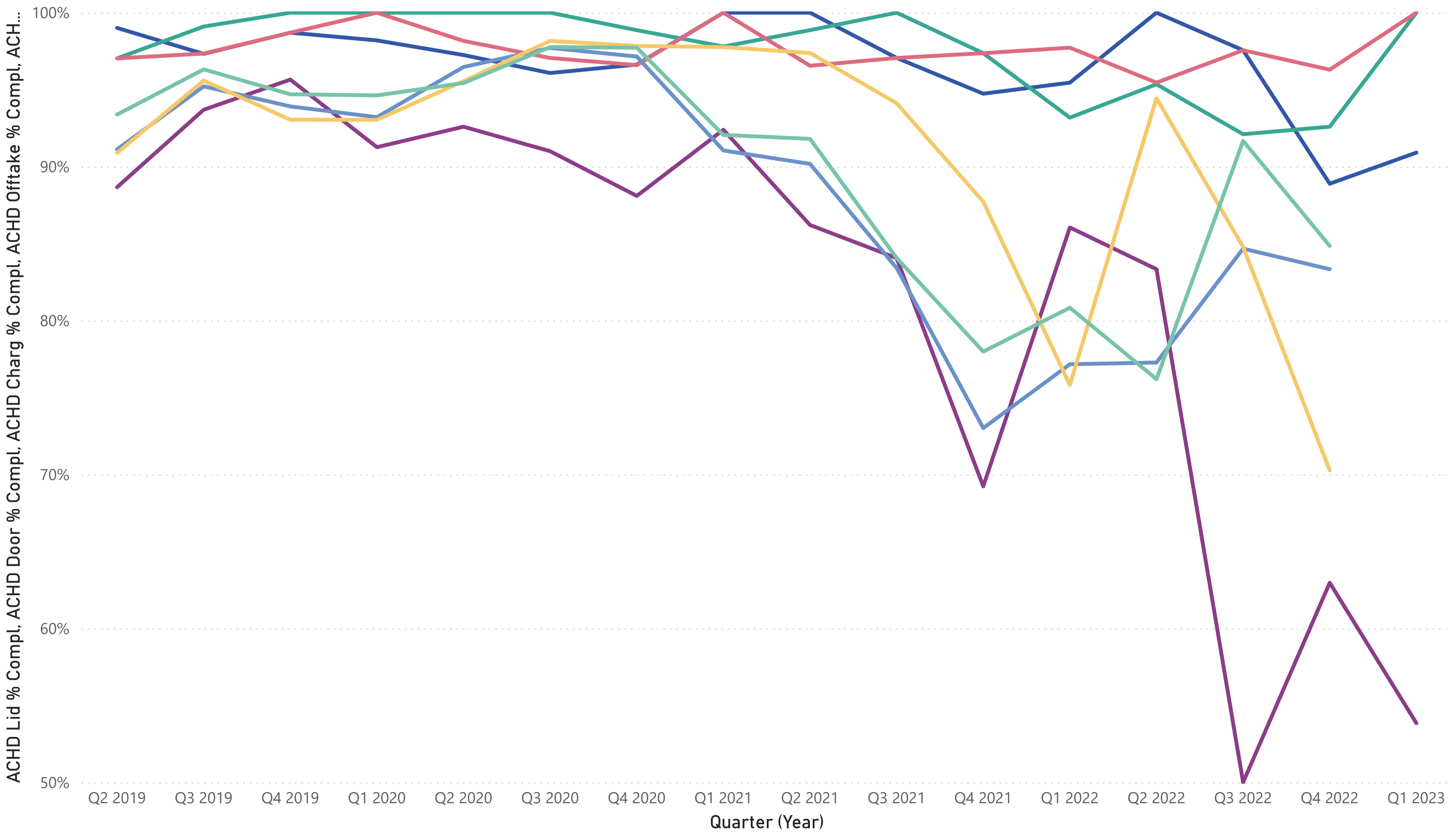


Method 303 Total Non-Compliant Inspections by Quarter (Year)



ACHD Lid % Compl, ACHD Door % Compl, ACHD Charg % Compl, ACHD Offtake % Compl, ACHD Push % Compl, ACHD Soaking % Compl and ACHD Travel % Compliance by Quarter (Year)

● ACHD Lid % Compl ● ACHD Door % Compl ● ACHD Charg % Compl ● ACHD Offtake % Compl ● ACHD Push % Compl ● ACHD Soaking % Compl ● ACHD Travel % Compliance



Quarter (Year)	Charge H2S Penalty	Doors H2S Penalty	H.O. Doors H2S Penalty	Push/Travel H2S Penalty	Soaking H2S Penalty	Topside(Lids) H2S Penalty	Topside Offtake H2S Penalty
<input type="checkbox"/> Q1 2023	\$500		\$2,750			\$250	
3/22/2023			\$750				
3/21/2023			\$2,000			\$250	
3/16/2023	\$500						
<input type="checkbox"/> Q4 2022	\$750	\$250	\$2,000	\$250	\$1,250	\$750	
10/21/2022						\$250	
10/13/2022			\$250				
10/12/2022	\$500						
10/11/2022	\$250	\$250	\$1,750	\$250		\$250	
10/6/2022					\$750	\$250	
10/5/2022					\$500		
<input type="checkbox"/> Q3 2022	\$250		\$750	\$250			
7/20/2022			\$750				
7/1/2022	\$250			\$250			
<input type="checkbox"/> Q2 2022		\$250	\$2,250	\$250			
6/30/2022			\$500	\$250			
6/29/2022			\$250				
6/28/2022		\$250	\$1,000				
5/20/2022			\$500				
<input type="checkbox"/> Q1 2022				\$750	\$250	\$250	
3/14/2022						\$250	
2/22/2022				\$250	\$250		
1/19/2022				\$500			
<input type="checkbox"/> Q4 2021	\$250		\$2,000	\$2,250	\$750	\$250	\$250
12/16/2021					\$250		
12/13/2021			\$1,000	\$250			
11/24/2021			\$500	\$250			\$250
11/18/2021			\$250	\$250			
11/17/2021	\$250				\$250		
11/9/2021				\$250			
11/8/2021			\$250	\$750			
11/5/2021				\$250			
10/19/2021						\$250	
10/13/2021				\$250	\$250		
<input type="checkbox"/> Q3 2021	\$250		\$1,000	\$750	\$750		
8/24/2021			\$250	\$500			
7/28/2021			\$250	\$250	\$250		
7/27/2021					\$500		
7/7/2021	\$250		\$500				
<input type="checkbox"/> Q2 2021	\$500		\$250	\$1,750			\$250
6/28/2021	\$250			\$250			
6/21/2021				\$250			
Total	\$4,500	\$1,000	\$21,500	\$9,750	\$5,250	\$2,500	\$1,000