



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street, Pittsburgh, PA 15233

Phone: (412) 578-8103

Address of Alleged Violation

**433 Lincoln Highway
East McKeesport, PA 15035**

Name of Alleged Violator #1

Kutch Crematory

Address of Alleged Violator #1

**433 Lincoln Highway
East McKeesport, PA 15035**

Contact Person #1

James Kutch

Title

Owner

Phone Number

(412) 823-4054

Email

Kutchfh@gmail.com

PART 1: DESCRIPTION OF INSPECTION(S)

On August 25, 2022, the Air Quality Program of Allegheny County Health Department (hereinafter "ACHD") issued Minor Source Operating Permit (0648-OP22) to Kutch Crematory. 0648-OP22 Section III.24 requires payment of an Annual Operating Permit Maintenance Fee (\$2103.40).

On November 19, 2025, ACHD sent the Annual Maintenance Fee Invoice, Invoice No. AQANN2600604 to the following billing email address provided by Kutch Crematory, kutchfh4@aol.com. The total amount due was \$1,000.00. The invoice due date was December 31, 2025. Per §2109.07a, a 15-day grace period allows for late submission without penalty. After the grace period expires, a mandatory 50% civil penalty of the fee amount is assessed. Payment for this invoice was not received by the due date or within the grace period and pursuant to Article XXI §2109.07.a, a \$500.00 late fee was assessed.

On February 5, 2026, ACHD sent a past due maintenance fee notice which included invoice AQANN2600604, reflecting the unpaid 50% civil penalty and advising Kutch Crematory that failure to submit payment by February 19, 2026, may result in a separate enforcement action. On February 27, 2026, ACHD sent a second past due maintenance fee notice.

As the date of this order, Kutch Crematory, Inc has failed to pay the 2026 annual maintenance fees and the associated 50% civil penalties assessed for late payments with a total amount due of \$ 1,500.00.

Did the individual/company cooperate with ACHD personnel? If not, explain:

Kutch Crematory failed to pay the 2026 \$1,000.00 Annual Maintenance base fee and the pay the 50% civil penalty of \$500.00. Currently, the total delinquent amount is \$1,500.00.

Inspection Date(s): **March 19, 2026**

Inspector Name(s): **Erick S. Vail**

PART 2: YOU ARE IN VIOLATION OF THE FOLLOWING REGULATION(s):

1	Regulation Section Article XXI §2103.40.c	Regulation Requirement Annual Operating Permit Maintenance Fee
	Description of Violation The annual operating permit maintenance fee is due on or before December 31 of each year for the next calendar year. The owner or operator shall pay the fee while such application is being reviewed and then during the term of any permit subsequently issued.	
	What You Must Do to Correct the Violation Submit the 2026 annual operating permit maintenance fee amount, \$1,000.00, within 30 days of receipt of this Enforcement Order.	
2	Regulation Section Article XXI §2109.07.a	Regulation Requirement Penalties, Fines, and Interest
	Description of Violation Fees. In the event a source fails to pay any fee required under this Article when due, the Department will compute a civil penalty of 50% of the fee amount, plus interest on the fee amount computed in accordance with Paragraph a.4 of §2109.06 of this Article from the date the fee was required to be paid. In addition, the source may have its permit revoked. The County will allow up to a fifteen (15) calendar day “grace period” from the due date of fees required under this Article prior to assessing the above referenced civil penalty and interest.	
	What You Must Do to Correct the Violation Submit the 2026 50% civil penalty amount, \$500.00, within 30 days of receipt of this Enforcement Order.	

PART 3: YOU ARE HEREBY ORDERED AS FOLLOWS:

- ☐ Immediately stop all work and/or cease operations at the following location(s):

- ☐ You are hereby Ordered to correct the violations(s) listed in Part 2 within _____ days of the service of this Enforcement Order.
- ☒ **You are hereby Ordered to comply with the following requirements within 30 days of the service of this Enforcement Order:**
- Submit total payment of \$1,500.00 for the 2026 Annual Maintenance base fee amount, \$1,000.00 and the \$500.00 civil penalty for late payment within 30 days of receipt of this order.**

The Order(s) in this Part is enforceable upon issuance, and any appeal shall not act as a stay. The Order(s) shall remain in effect until you are notified in writing by the Department. Please contact the ACHD Air Quality Program at (412) 578-8103 to arrange for a reinspection or to request that the Order(s) be rescinded.

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.

PART 4: CIVIL PENALTY

For the violations listed in Part 2, you are hereby assessed a civil penalty of \$500.00. The determination of the civil penalty is attached as **Exhibit No. 1** and is incorporated as part of this Enforcement Order.

Please be aware that if the Department did not assess a civil penalty, the Department may issue a subsequent enforcement order in which a civil penalty is assessed.

You 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, 836 Fulton Street, Pittsburgh, PA 15233.

PART 5: REQUEST FOR ADMINISTRATIVE HEARING

Pursuant to Article XI, § 1104.A (“Hearings and Appeals”), and Article XXI § 2109.06.a.5, 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 or hearing Officer of the ACHD so orders. In the absence of a timely appeal, the terms of this Order shall become final.

Please be aware that if you wish to appeal this Order and a civil penalty has been assessed under Part 4, 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. 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 the bond, then you have the burden to prove it. 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>.



Air Quality Program Manager

5/1/2026

Date