



ENFORCEMENT ORDER

Allegheny County Health Department

Air Quality Program

836 Fulton Street Pittsburgh, PA 15233

Phone: (412) 578-8103

Address of Alleged Violator 13 th Street and Braddock Avenue, Braddock, PA 15104			
Name of Alleged Violator #1 U.S. Steel – Edgar Thomson Plant			
Address of Alleged Violator #1 13 th Street and Braddock Avenue, Braddock, PA 15104			
Contact Person #1 Jonelle Scheetz	Title	Phone Number 412-273-4730	Email JSScheetz@uss.com
Name of Alleged Violator #1 Evergreen North Americal Industrial Services			
Address of Alleged Violator #1 537 Park Drive, Weirton WV, 26062			
Contact Person #1 Micheal Ewing	Title On Site Supervisor		

PART 1: DESCRIPTION OF INSPECTION(S)

On August 1, 2023, the Allegheny County Health Department (ACHD) issued Title V Operating Permit and Federally Enforceable State Operating Permit 0051-OP23 (0051-OP23) to the U.S. Steel Edgar Thompson Plant (ET) for the operation of an iron and steel making facility which includes the Basic Oxygen Process (BOP) Shop. The BOP Shop operates various control devices including the BOP Shop Gas Cleaning Venturi Scrubber, BOP Mixer and Desulfurization Baghouse and Secondary Baghouse.

Regarding the BOP Secondary Baghouse and Mixer Baghouse, Condition V.D.3.d.2 of 0051-OP23 and 40 CFR§ 63.7830.b.4.ii of the National Emission Standard for Hazardous Air Pollutants for Integrated Iron and Steel Manufacturing Facilities requires that ET confirm, through weekly inspections or other means, that dust is being removed from hoppers or otherwise to ensure the proper functioning of removal mechanisms.

Additionally, ACHD’s Article XXI §2104.01.a.2 prohibits the operation of any source of air pollution in a manner such that the opacity of visible emissions from the source equal or exceed 60% at any time.

On January 15, 2026, ACHD representatives were present at ET to witness the compliance testing of the BOP Shop’s Gas Cleaning Venturi Scrubber system. As ACHD and ET Representatives were walking from the main office building to the BOP Shop, ACHD witnessed emissions emanating from the discharge of an Evergreen North Americal Industrial Services (ENAI) vacuum truck. ACHD observed the ENAI vacuum crew removing collected material from the hoppers of BOP Mixer and Desulfurization Baghouse. ACHD observed emissions with an opacity exceeding 60%. ACHD and ET representatives agreed that the vacuum truck was not operating properly and approached the vacuum truck crew to investigate the emissions. The vacuum truck crew stopped the removal activity, shut down the truck and its collection system and the emissions event ended. The removal activity did not resume, and the truck was driven offsite. Approximately two years ago, the same ACHD representative provided a verbal warning to an ET Representative regarding a similar emission event during removal activities, no formal enforcement action was pursued.

On January 16, 2026, ET Representatives provided ACHD with an investigation report from ENAI dated January 15, 2026. The report stated that ENAI deployed a truck that was undergoing maintenance and was not supposed to be in service. Specifically, the truck’s bag filters were washed down in preparation for replacement. The water residue in the truck’s bag filters subsequently froze, causing small tears in some of the bags. No one on the ENAI crew was observing the exhaust at the time. The truck operator was in the cab and the three technicians were in the mixer house and not observing the removal activities. Corrective actions including implementation of check lists, additional documentation and operator requirements were also listed in the report.

On January 15, 2026 ACHD observed greater than 60% opacity of visible emissions from a faulty vacuum truck during the removal of accumulated material from ET's BOP Mixer and Desulfurization Baghouse.

In January of 2026, ET and ENAIS inspections of ET's BOP Mixer and Desulfurization Baghouse were insufficient to ensure the proper functioning of the removal mechanism of the vacuum truck during removal activities resulting in excess emissions.

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

Inspection Date(s)
January 15, 2026

Inspector Name(s)
Bill Rausch

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

1	Regulation Section Article XXI § 2104.01.a.2 Visible Emissions	Regulation Requirement No person shall operate, or allow to be operated, any source except those specifically excluded by Subsection b below in such manner that the opacity of visible emissions from a flue or process fugitive emissions from such source, excluding uncombined water Equal or exceed an opacity of 60% at any time
	Description of Violation Visible emissions from the ENAIS vacuum crew removing collected material from the hoppers of BOP Mixer and Desulfurization Baghouse exceeded 60% opacity.	
	What You Must Do to Correct the Violation Ensure emissions from removal activities at baghouses do not exceed 60% at any time.	
2	Regulation Section Article XXI § 2103.10.b.3 Prohibition of Operation in Violation of Conditions. 0051-OP23 V.D.3.d.2, 40 CFR§ 63.7830.b.4.ii Monitoring Requirements	Regulation Requirement Prohibition of Operation in Violation of Conditions. It shall be a violation of this Article giving rise to the remedies provided by Section 2109.02 of this Article for any person to fail to comply with any terms or conditions set forth in any permit issued pursuant to this Subpart. The permittee shall conduct inspections of the BOP Secondary Baghouse and Mixer Baghouse at the specified frequencies according to the following requirements: Confirm that dust is being removed from hoppers through weekly visual inspections or other means of ensuring the proper functioning of removal mechanisms.
	Description of Violation ET and ENAIS inspections of the removal process did not ensure the proper functioning of the removal mechanism of the vacuum truck resulting in excess emissions.	
	What You Must Do to Correct the Violation Monitor activities at the BOP Mixer and Desulfurization Baghouse to ensure the proper functioning of the removal mechanisms	

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 _____ days of the service of this Enforcement 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 \$ 15,300.00. 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.

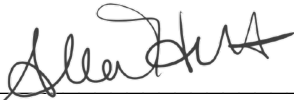
PART 5: REQUEST FOR ADMINISTRATIVE HEARING

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

EXHIBIT NO. 1

CIVIL PENALTY DETERMINATION AND CALCULATION

PURPOSE: The primary purpose for assessing civil penalties is to deter future violations not only at the specific facilities that are involved in the enforcement actions taken by the Department, but also at all the facilities within Allegheny County that are subject to the Article XXI regulations. In order to achieve the goal of deterrence, a civil penalty should remove any significant economic benefit resulting from noncompliance and include an amount beyond recovery of the economic benefit to reflect the seriousness of the violation.

CIVIL PENALTY FACTORS: The ACHD has determined the 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 the violator to minimize such violations and to prevent future violations; and the violator's compliance history.

CIVIL PENALTY FORMULA: The following calculation is used to assess the civil penalty:

$$\text{Civil Penalty} = (\text{Gravity Based Component} \times \text{Adjustment Factor}) + \text{Economic Benefit} + \text{Cost to the Department} + \text{Additional Deterrent Penalty}$$

Gravity Based Component: A gravity based component reflects the potential harm that the violation may have on the public or environment and the severity of the violation.

Adjustment Factor: The gravity based component may be adjusted for factors and circumstances unique to the violator. These adjustment factors include the violators degree of cooperation with the ACHD during the investigation, the compliance history of the violator, the degree of willfulness that violator exhibited with regard to the violation, the size of the violator, and whether the violator is a Title V source or a Synthetic Minor source.

Economic Benefit: This component is a measure of the economic benefit gained by the violator as a result of noncompliance with the regulatory, statutory, or permit requirements.

Cost to the Department: Extra monetary costs for the investigation and preparation of the case, such as source sampling costs and laboratory costs, may be identified and added to the adjusted civil penalty.

Additional Deterrent Penalty: An additional deterrent penalty may be assessed if justified by the circumstances of the case.

CIVIL PENALTY CALCULATION

A. Gravity Based Component

Violation	Gravity Based Penalty	Violation Days	Total Gravity Penalty
§2104.01.a.2 Visible Emissions shall not exceed 60% at any time	\$9,000.00	1	\$9,000.00
§2103.10.b.3 Prohibition of Operation in Violation of Conditions: Monitoring Requirements: Perform sufficient inspections to ensure the proper functioning of the removal system.	\$3,750.00	1	\$3,750.00
Gravity Component Total			\$12,750.00

B. <u>Adjustment Factors</u>	Factor	Adjustment Amount
Degree of Cooperation: Stopped work, corrective action plan submitted	0	\$0
Compliance History:	0	\$0
Degree of Willfulness:	0	\$0
Size of Violator:	0	\$0
Title V source or a Synthetic Minor source: Title V Source	0.2	\$2,550.00
Adjustment Factors Total		\$2,550.00

C. <u>Other Adjustments</u>		
Economic Benefit:	\$0	
Cost to the Department:	\$0	
Additional Deterrent Penalty:	\$0	
Other Adjustments Total		\$0

TOTAL CIVIL PENALTY	\$15,300.00
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