

Allegheny County Health Department Air Quality and June 27, 2019 United States Steel
Settlement Agreement – Comment and Response Document
February 3, 2020

COMMENT	COMMENTER(S)
Parts I-II	
1. I recommend that U.S. Steel be required to fully comply with the Clean Air Act.	Group of 37 contributors (commenter reference no. 7); Eva Resnick-Day
RESPONSE: U.S. Steel is required to comply with the Clean Air Act.	
Part III	
2. I do not support the “agreed upon process for evaluating and revising Article XXI” as it usurps ACHD’s authority over its own regulations.	Marcellus Protest
RESPONSE: ACHD would not promulgate any regulations that are not beneficial or impossible for regulated entities to achieve. This agreement provides a framework to create rules that both improve air quality and are achievable.	
3. The restriction on the use of the findings in the Settlement Agreement by anyone other than the parties contribute to an unnecessary burden on future challenges to actions of U.S. Steel and ACHD.	Marcellus Protest
RESPONSE: This is the very nature of a settlement agreement rather than a adjudication.	
4. I do not support ACHD’s scope of action being bound by the terms of the Agreement, with the possibility of other steps against U.S. Steel being foreclosed.	Marcellus Protest
RESPONSE: This settlement only addresses violations identified in the named enforcement actions. It does not prevent ACHD from enforcing other requirements.	
Part IV	
5. The Environmental Improvement Projects outlined amount to a substitution of remedies required by previous orders, thus shifting the onus of emissions compliance from operator to regulator.	Marcellus Protest
RESPONSE: ACHD disputes the premise of this comment. All remedies outlined in previous actions deemed pertinent to continue by ACHD are included in this Settlement Agreement, along with additional actions.	
6. There should be a concrete definition of “implemented” so that U.S. Steel does not attempt to shirk any of its obligations.	Marcellus Protest
RESPONSE: In the event that U.S. Steel attempts to sidestep its obligations regarding facility upgrades under this agreement, the word “implemented” will be treated in accordance with its plain meaning and common usage, that is, “carried out, accomplished.”	
7. The compliance plan is merely a recapitulation of some capital projects to which	Marcellus Protest

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U.S. Steel might presumably have already completed internally, adding only some informational reporting to ACHD.	
RESPONSE: ACHD is satisfied that the new baghouses and other actions are beyond basic maintenance and will improve the air.	
8. I support the various plant upgrades outlined in the Settlement Agreement.	James A. Wright; Dr. Elissa M. Weiss; Peg Schmidt; Brittany Reno; Paul Klein; Catherine Gammon; Group of 37 contributors (commenter reference no. 7); Howard M. Rieger, PhD; Philippe Truche; Collette Walsh; Jordan Swartz; Dr. Robert Gibb; Isabelle Toomey; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Theresa Anderson; Harry Hochheiser; Debra Smit; Kathleen Krebs; Ryan Johnson-Evers; Patrick Catena; Richard Alex Hofer; Dobby Wilson; Adam Ravenstahl, Member PA House of Representatives 20th Legislative District; Breathe Collaborative; Kate St. John; Valerie S. Gaydos, State Representative, 44th Legislative District; Cindy L. Bahn, JD, MBA, Borough Manager, West Homestead; Christine Cherevka; Kim Graham; Linda Huffington; Mary Clause; Sarah Starman; Don Furko (President of USW Local 1557); Nickole Nesby (Mayor of Duquesne); Jeff Nobers; Kurt Barshick (manager for U.S. Steel Mon Valley Works); Bob Breisinger; Fred Kraybill; Michelle Naccarati-Chapkis; Dr. Deborah Gentile; Michael Rhoads; Aristotle Aivaliotis; Maury Burgwin; Clairton Councilman Richard L. Ford, III;
RESPONSE: No response necessary.	
9. We support pledged upgrades to the plant, the investment of \$1 billion in a new technologically advanced, sustainable steelmaking process and a new co-generation facility at Mon Valley Works.	Group of 851 Contributors (Commenter reference 69)
RESPONSE: No response necessary.	
10. The current agreement does not adequately specify the needed repairs.	The Breathe Collaborative
RESPONSE: Many repairs require evaluation. ACHD is satisfied that the required independent third-party audits will properly identify needed repairs.	
11. I recommend putting noncompliant coke batteries on hot idle.	Dr. Robert Gibbs; Debra Smit; Kathleen Krebs; The Breathe Collaborative; Heather Olson; Myron Arnowitt

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RESPONSE: Enforcement Order #180601 contemplated the prospect of hot idle at U.S. Steel, and this corrective action was incorporated into this agreement. It is not contemplated to be needed elsewhere in this agreement.	
12. ACHD should stipulate that it may put noncompliant coke batteries on hot idle in the event of future violations.	Kate St. John; Clean Water Action
RESPONSE: <i>See response to Comment 11.</i>	
13. ACHD should shut down noncompliant coke batteries as part of the settlement agreement.	Melanie Meade; Fred Kraybill; Terri Supowitz; David Meckel; Margaret Schmidt
RESPONSE: <i>See response to Comment 11.</i>	
14. I recommend U.S. Steel be shut down until a proper settlement agreement is developed and enforced.	Edward J Chute, PhD;
RESPONSE: ACHD is satisfied with this Settlement Agreement, which it signed in June 2019, and has been in force since then.	
15. ACHD should consider idling individual poor performing ovens, as opposed to entire batteries, as a method that would both gain the greatest environmental improvements, while minimizing the impact on the company's operations.	Clean Water Action
RESPONSE: This may be considered in the future, but it is not part of this settlement.	
16. I recommend that U.S. Steel make upgrades in order to make safer and more efficient use of emissions.	Brittany Reno; Seth Bush
RESPONSE: The upgrades outlined in Section IV will be implemented with the intent of ensuring fewer emissions from US Steel's Clairton facility and addressing concerns raised in the enforcement action.	
17. I recommend that 10% of the fines allocated to the Clean Air Fund be specifically reserved for appropriate projects with direct impacts on air pollution and public health (i.e., mitigation projects) rather than for other community projects (namely Health Department building upgrades, road repairs).	Brittany Reno; Breathe Collaborative
RESPONSE: The regulations regarding disbursements of Clean Air Funds can be found in ACHD Article XXI, 2109.09.	
18. I recommend that the settlement take into consideration the fact that U.S. Steel is in a financially precarious position and may, either due to market conditions or mismanagement, be unable to proceed with the promised upgrades or otherwise make good on its obligations.	Howard M. Rieger, PhD;

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RESPONSE: Non compliance with any aspect of this agreement will be treated as a violation of an ACHD order and will be prosecuted accordingly.	
19. I recommend that the agreement shorten the deadlines for implementation of Clairton Upgrades.	Howard M. Rieger, PhD; April Clisura
RESPONSE: It is important that we balance the urgency of these upgrades with the ability of U.S. Steel to realize them.	
20. U.S. Steel needs to agree to implement the best available control technology over all its coke ovens.	April Clisura
RESPONSE: BACT is a federal requirement for new units, not existing units. Several batteries are subject to Lowest Achievable Emission Rate (LAER), which is often stricter than the BACT requirement	
21. I recommend the installation of more air quality monitors throughout the area.	Abigail Ault; William Epting; David Bertenthal
RESPONSE: The ACHD performs a review of monitoring adequacy on a regular basis. The next full review is scheduled for 2020.	
22. I do not recommend moving the Liberty monitor further away from Clairton.	Myron Arnowitt
RESPONSE: This is a misunderstanding of the County plans. The monitor at Liberty is simply moving across the roof of the building in order to accommodate a request from the school. The air quality measurements will not be impacted..	
23. The proposed settlement should make clear that ACHD may require further emission reduction projects if the project analysis does not result in compliance with the NAAQS and ACHD rules.	Clean Water Action
RESPONSE: The State Implementation Plans (SIP) for PM _{2.5} and SO ₂ filed with the U.S. EPA set the means by which the area will attain these standards. The added controls included in this agreement are to improve the air beyond the SIP analysis.	
24. U.S. Steel should explore the installation of spring-loaded doors on the coke oven batteries. It should consider dry quenching, alternative means of charging, improved ways of stopping leaks, and cleaner testing methods.	Clean Air Council
RESPONSE: ACHD and USS will continue to look at practical measures that can be employed at the plant to improve emissions in the future. They are not part of this settlement.	
25. Potential technologies and solutions that could be implemented at the Clairton Works to achieve meaningful emissions reductions include: <ul style="list-style-type: none"> • single oven pressure control such as the Proven system employed on Battery C, • a dry quench cogeneration system, 	Clean Air Council

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<ul style="list-style-type: none"> • testing methodologies used in German steelmaking processes, and • more complete coke side enclosures 	
RESPONSE: ACHD and USS will continue to look at practical measures that can be employed at the plant to improve emissions in the future. They are not part of this settlement	
<p>26. Many of the agreement's proposed repairs take too long, in many cases not for another two to five years. These repair timelines need to be significantly shortened to 12 to 18 months at the most in order to protect the health of the community members.</p>	Matthew Mehalik (on behalf of Breathe Collaborative)
RESPONSE: The stipulated upgrades are often complex construction projects which need to be completed as safely as possible. The timeline was determined to be reasonable by both parties.	
<p>27. The long timetable raises the question as to whether equipment would have been replaced anyway.</p>	Clean Air Council
RESPONSE: <i>See response to Comment 26.</i>	
<p>28. I support the installation of steel curtains and other improvements to trap emissions around aging batteries.</p>	Fran Harkins;
RESPONSE: No response necessary.	
<p>29. We support dealing with the leak and release of fugitive emissions.</p>	Breathe Collaborative
RESPONSE: No response necessary.	
<p>30. Any emissions reductions from the installation of a mechanism to reduce fugitive emissions from the B Battery shed would be modest.</p>	Clean Air Council; Jay Walker (Community Organizer with Clean Air Council)
RESPONSE: This change is in direct response to significant emissions noted by inspectors.	
<p>31. The CITE Program is simply a form of employee training. Like any employer, U.S. Steel trains in accordance with its internal policy. However, their priority is unlikely to be enhanced performance.</p>	Marcellus Protest
RESPONSE: Indeed, this is a form of employee training, to assure that each employee is aware of how his or her actions affect air quality. The CITE program was very successful in the past at this plant.	
<p>32. Provisions requiring monthly flue temperature readings are not likely to lead to direct emissions reductions.</p>	Clean Air Council
RESPONSE: Changes in flue temperature indicates poor combustion. Often found near the doors, any incomplete combustion will lead to increased burning and emissions when the doors are opened. Tracking the temperatures will make it easier to schedule appropriate repairs.	
<p>33. Proposed Agreement does not prescribe what the company must do if the</p>	Clean Air Council

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<p>temperature readings reach a particular threshold and should contain more specific terms that indicate what the company should do if it finds that batteries are underperforming by leaking additional emissions.</p>	
<p>RESPONSE: This is a maintenance measure, that leads to scheduling repairs.</p>	
<p>34. The Compliance Audit is a paper exercise designed to ensure that no unwelcome work is demanded of the company. The compliance structure entails U.S. Steel proposing something and ACHD approving it, thus U.S. Steel has done its duty even if ACHD rejects its course of action. If ACHD does not approve, then the plan is abandoned.</p>	<p>Marcellus Protest</p>
<p>RESPONSE: The settlement has been changed to address this concern. If the ACHD rejects the corrective action plan, USS must propose, with consultation of ACHD, an acceptable plan.</p>	
<p>35. I recommend that the Audits be unannounced.</p>	<p>Harry Hochheiser</p>
<p>RESPONSE: A full plant audit requires preparation, safety training and proper timing. The goal is to find persistent issues, not immediate operational violations. For these reasons, audits need to be scheduled.</p>	
<p>36. I recommend that Audits be quarterly rather than yearly.</p>	<p>William Epting;</p>
<p>RESPONSE: A proper audit, response and review, takes considerable time. ACHD’s opinion is that an annual audit is appropriate for this purpose.</p>	
<p>37. I recommend publication of Environmental Air Compliance Audit findings.</p>	<p>Dr. Elissa M. Weiss;</p>
<p>RESPONSE: Any document submitted to ACHD is subject to the Pennsylvania Right to Know Law.</p>	
<p>38. I recommend an open, public, transparent process (including an opportunity for comment) for selecting Environmental Compliance Auditors.</p>	<p>Breathe Collaborative;</p>
<p>RESPONSE: The audits are an action to be taken by the plant. This is not a public process.</p>	
<p>39. I support independent third-party Environmental Air Compliance Audits.</p>	<p>Dr. Elissa M. Weiss; Catherine Gammon; Philippe Truche; Bonnie Gillis, Ben Love, Kate St. John, Karen Bernard, Abigail Ault; Harry Hochheiser; William Epting</p>
<p>RESPONSE: No response is necessary.</p>	
<p>Air compliance audits conducted by third parties are not likely to lead to direct emissions reductions due to vagueness and to the technical and economic feasibility requirement providing an opportunity for the company to avoid meaningful improvements.</p>	<p>Clean Air Council</p>

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RESPONSE: The audit reports will be thorough and prescribe effective means of remediating causes of pollution at the Clairton facility. Furthermore, it is important that such improvements be attainable by the regulated entity.	
40. The Agreement only states that “[t]he ACHD will review and may approve the corrective action plan.” The agreement should instead state that “[t]he ACHD will review and shall approve or disapprove the corrective action plan,” and the agreement should require the company to submit another corrective action plan following a disapproval by ACHD, for approval or disapproval.	Clean Air Council
RESPONSE: The settlement has been changed to address this concern. If the ACHD rejects the corrective action plan, USS must propose, with consultation of ACHD, an acceptable plan.	
41. The Pushing Emission Control System Upgrades should include improved capture of pushing emissions in addition to addressing replacement of PEC baghouses.	Clean Water Action
RESPONSE: The settlement speaks to improvement of both emission capture and emission control processes at the PEC baghouse.	
42. I support upgrading baghouse filters and air curtains.	Kate St. John
RESPONSE: No response necessary.	
43. While I support the PEC baghouse improvements, it is not clear whether there would be a meaningful decrease in air emissions. As such, ACHD should provide more information so that the public may evaluate the long-term effectiveness of the baghouse installation.	Clean Air Council; Jay Walker (Community Organizer with Clean Air Council)
RESPONSE: PEC Baghouses are a proven mechanism for reducing particulate matter emissions. U.S. Steel will provide more details upon submission of its application for an installation permit.	
44. I support replacement rather than repair of Batteries 1, 2, and 3.	Fran Harkins; Breathe Collaborative; Kelsey Krepps (on behalf of PennFuture);
RESPONSE: Replacement of batteries is a USS decision. ACHD only sets requirements on how a battery can operate.	
45. I do not support the Battery 15 Stack replacement as it will increase the dispersion of effects, thus causing the same amount of pollutants to be released but a greater geographic range of effects and less detection.	Fran Harkins;
RESPONSE: The stack height in the new Battery 15 permit is within EPA guidance for stacks, related to nearby buildings and the need for updraft.	

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46. It is not clear that the replacement of the Battery 15 stack will result in any emission reductions.	Clean Water Action
RESPONSE: The stack itself will not change the amount of emissions but help to spread the emissions, within EPA’s allowed heights.	
47. I support a taller emission stack for Battery 15.	Kate St. John
RESPONSE: No response needed.	
48. The stack replacement is unlikely to directly reduce air emissions because emission as stacks are not control devices.	Clean Air Council
RESPONSE: See answer to comment 47.	
49. It is unclear whether and to what extent there may be emissions reductions from a stack replacement or a “through wall” repair.	Clean Air Council
RESPONSE: See response to comment 47 regarding the Battery 15 stack height. Through walls are the walls that divide the coking oven from the heating elements. When there are cracks in the through wall, coke oven gases can escape from the oven into the heating elements, and coke oven emissions then are released through the stacks. Repairs to the walls both prevent this release and assure a more complete coking process, thus lessening emissions during the pushing process.	
50. I support repairs to batteries.	Kate St. John
RESPONSE: No response is necessary.	
51. The Safety Emissions Reduction Requirement obligation is defined as the meeting of certain requirements “for the first two quarters of 2019.” In other words, this task became moot four days after the Agreement was signed.	Marcellus Protest
RESPONSE: This condition was included to complete an enforcement action placed on the company in an enforcement order dated June 28, 2018.	
52. I recommend the shutdown of any part of the plant that cannot operate safely and legally.	Group of 37 contributors (commenter reference no. 7); Eva Resnick-Day; Constantine Orfan; Edward J Chute, PhD; Brittany Reno; Philippe Truche; Jordan Swartz; Edward J Chute, PhD; Barbara Simons
RESPONSE: ACHD strives to only pursue shutdown as a last resort after continued, consistent and willful noncompliance. ACHD retains its authority to shut down non-complying units.	
Part V	
53. I do not support the issuance of a penalty against U.S. Steel.	James A. Wright
RESPONSE: Though ACHD encourages the development of industry, penalties are a necessary deterrent to violations.	
54. I recommend the penalty be increased by a factor of ten.	John P. Baltrus, Ph.D.

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RESPONSE: ACHD is not entitled to arbitrarily levy penalties amounts. The penalty levied by ACHD is based on the ACHD enforcement policy, using the factors described in Article XXI, Section 2109.06.b.	
55. I recommend the fine being 10-100 times as high.	Harry Hochheiser
RESPONSE: See response to comment 54.	
56. I recommend a higher penalty.	Chris M. Horwitz, PhD; Ryan Johnson-Evers; Eric Probola; Harry Hoccheiser; Kathryn A. Roecklein; Breathe Collaborative; Kelly Nelson; Michelle Naccarati-Chapkis; Terri Supowitz; Malcolm Jarrett; Cindy Meckel
RESPONSE: See response to comment 54.	
57. I support the \$2,732,504.00 Civil Penalty with 90% of such amount going into a Community Benefit Trust.	Dr. Elissa M. Weiss; Catherine Gammon; Group of 37 contributors (commenter reference no. 7); Philippe Truche; Jordan Swartz; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Howard J. Bednar, City Manager / Finance Director, City of Clairton; Kate St. John; Seth Bush; Valerie S. Gaydos, State Representative, 44th Legislative District; GASP; Zach Barber; Kurt Barshick (manager for U.S. Steel mon Valley Works); County Councilwoman Anita Prizio; Michael Rhoads; James Borkowski; Aristotle Aivaliotis; James Lloyd
RESPONSE: No response necessary.	
58. I support the penalty but do not support the trust agreement.	Richard Alex Hofer
RESPONSE: The Community Benefit Trust will make sure that the most proximate victims of Clean Air violations will receive the most immediate benefit.	
59. The Community Trust makes communities dependent on money from U.S. Steel and delegitimizes the Clean Air Fund.	Marcellus Protest
RESPONSE: This agreement, as well as the Clean Air Fund, are motivated by a restorative ethos wherein the people most immediately impacted by air quality violations realize the most immediate benefit.	
60. I recommend that the penalty factor in lost tax revenue and other economic impacts resulting from people leaving.	Ilya Basta; Bethany Narajka; Kathryn A. Roecklein
RESPONSE: ACHD is not entitled to arbitrarily levy penalties greater than the amounts provided for in its own regulations. Part IX of the Proposed Settlement Agreement outlines the calculations which resulted in the penalty and Trust and how it was derived from Allegheny County Health Department Rules and Regulations, Article XXI §2109.06(b).	
61. I recommend an alternative penalty calculation based on determining impact on individual health [(simple physical exam costing	Ilya Basta

COMMENT	COMMENTS(S)
\$300 x 2 million (population)) + cost of additional research or treatment]; i.e., at least \$600 million.	
RESPONSE: ACHD is not entitled to arbitrarily levy penalties greater than the amounts provided for in its own regulations. Part IX of the Proposed Settlement Agreement outlines the calculations which resulted in the penalty and Trust and how it was derived from Allegheny County Health Department Rules and Regulations, Article XXI §2109.06(b).	
62. I recommend factoring in economic benefit damages and cost of cleanup damages into the penalty calculation.	John F. Nagle.
RESPONSE: See response to comment 54.	
63. I recommend considering that U.S. Steel tripled its annual revenue last year (\$14.1 billion) as well as net earnings (\$1.11 billion) (i.e., the proposed penalty is just 0.25% of U.S. Steel's net earnings and 0.02% of its net revenue).	The Breathe Collaborative;
RESPONSE: See response to comment 54.	
64. I would like settlement money to go towards a medical center where residents can seek immediate attention (if needed it could connect with a fitness center where everyone can go instead of going out of town.)	Lee Lasich (Councilperson for the Third Ward of the City of Clairton)
RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.	
65. I do not support settlement money going towards a local grocery store.	Lee Lasich (Councilperson for the Third Ward of the City of Clairton)
RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.	
66. I do not support settlement money being limited by Clean Air Fund or SEP regulations.	Clairton Councilman Richard L. Ford, III
RESPONSE: The parties agree that supplemental projects benefitting the local communities or environment are a preferred mechanism for offsetting a significant portion of the civil penalties. The SEPs themselves are restricted by policy. The SEP process and the Clean Air Fund penalty are the only mechanisms provided for resolving violations.	
67. I recommend that Clairton use money for asbestos studies and remediation related to demolition.	Lee Lasich (Councilperson for the Third Ward of the City of Clairton); Howard J. Bednar, City Manager / Finance Director, City of Clairton
RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.	

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<p>68. The CBT should be used to pay for or improve recreational facilities to help improve public health.</p>	<p>Howard J. Bednar, City Manager / Finance Director, City of Clairton; Denise Johnson-Clemmons (Councilwoman 4th Ward, City of Clairton)</p>
<p>RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.</p>	
<p>69. Fines for air pollution violations can be viewed as the cost of doing business when the fines are much lower than the costs of fixing the problems that cause unlawful operations of facilities.</p>	<p>The Breathe Collaborative; Clean Air Council; Kelly Nelson</p>
<p>RESPONSE: The 2018 penalty policy reset penalty amounts to be more appropriate to conditions, inducing the company to correct the situation.</p>	
<p>70. Since the Settlement Agreement will be governed by contract principles, there should be less ambiguity, especially with regards to the CBT instrument.</p>	<p>GASP; Clairton Councilman Richard L. Ford, III</p>
<p>RESPONSE: The funds will be place in a Trust and allocated for projects within each of five municipalities. A Trust Distribution Board is to be established, made of one representative of each of the five municipalities, to determine the appropriate projects.</p>	
<p>71. There should be more extrinsic evidence available for deciphering what the Parties might have “silently intended.”</p>	<p>GASP</p>
<p>RESPONSE: The recitals in the settlement agreement portray the intentions of the parties. There are no silent intentions. More details as to the Citizen Advisory Panel and the operations of the Trust have been added to the document, based on internal deliberations and concepts offered by commenters.</p>	
<p>72. The Agreement should include a definition for the term “Community Benefit Trust.” Capitalizing the phrase suggests it is a proper noun, but it is neither expressly defined, nor is it a common legal term.</p>	<p>GASP</p>
<p>RESPONSE: The term Trust is used in its plain meaning. A separate document has been agreed upon that includes details of the Trust.</p>	
<p>73. I recommend that the issue of the form of the trust go up for public comment.</p>	<p>GASP</p>
<p>RESPONSE: Putting up the trust form to public comment is neither legally necessary nor efficient.</p>	
<p>74. The agreement leaves many questions regarding the Trust open. For example, it’s not clear whether individuals from the adjacent communities may receive Trust money, or alternatively, whether Trust money must go to the adjacent communities themselves, meaning the five municipalities. This must be clarified.</p>	<p>John Baillie (on behalf of Group Against Smog and Pollution; Nickole Nesby (Mayor of Duquesne)</p>

COMMENT	COMMENTER(S)
RESPONSE: the funds in the Trust will be allocated to the five municipalities in relation to their population and area of impact. A Trust Distribution Board will consist of one member from each of the municipalities, to determine appropriate projects that benefit public health and/or the environment.	
75. I recommend using money in the community benefit trust to demolish old buildings and put in green space such as parks, playgrounds, etc. (in consultation with local authorities).	Chris M. Horwitz, PhD
RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.	
76. ACHD should revise the Proposed Agreement to make it clear that the “civil penalty” only includes the 10% to be applied to the Clean Air Fund (i.e., \$273,250.40). EPA dictates that SEPs are not meant to replace penalties, only to mitigate them. Though ACHD acknowledges this approach, in part V-A, the penalty’s treatment as such should be more consistent throughout.	Clean Air Council; Jay Walker (Community Organizer with Clean Air Council)
RESPONSE: Changes have been made to the settlement agreement to address this concern.	
77. In the first sentence in Section V (9) on page 15, ACHD should change the words “shall pay” to “has assessed.”	Clean Air Council
RESPONSE: Changes have been made to the settlement agreement to address this concern.	
78. In the second sentence in Section V (9) on page 15, ACHD should change the words “civil penalty” to “this amount.”	Clean Air Council
RESPONSE: Changes have been made to the settlement agreement to address this concern.	
79. ACHD has not met the requirements for a Supplemental Environmental Project (SEP) under EPA’s policy statement (though it is true that such policy is merely instructive and does not strictly apply to state agencies).	Clean Air Council
RESPONSE: The Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy regarding allowable projects. The operation of the Trust will follow the Trust document.	
80. ACHD should consider DEP’s guidance document on SEPs, called Community Environmental Projects (CEPs). Like SEPs, these aren’t in and of themselves civil penalties, but rather something DEP considers in determining the amount of a civil penalty.	Clean Air Council; Jay Walker (Community Organizer with Clean Air Council)

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RESPONSE: Projects under the Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy. The operation of the Trust will follow the Trust document.	
81. Proposed Agreement does not provide the necessary information required by DEP's CEP policy (including costs and resource allocation, and proposed benefits to public health and safety or the environment).	Clean Air Council
RESPONSE: Projects under the Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy. The operation of the Trust will follow the Trust document.	
82. In accordance with EPA/DEP policy, ACHD should conform to the requirement that the SEP proposal be in writing and include the following information: <ul style="list-style-type: none"> • Project description; • Location of project; • Implementation and reporting schedule; • Costs of the project with supporting documentation; • Expected benefits to the public health and/or environment; • The area that will benefit from the project; • Resources that will be necessary to ensure project completion; and • Identify any partners involved in the project. • Documentation such as appraisals, bid proposals, invoices, contracts, and third-party cost estimates may be submitted to establish the estimated cost of the SEP. 	Clean Air Council
RESPONSE: Projects chosen for the Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy. The operation of the Trust will follow the Trust document.	
83. I Support the new Community Benefit Trust ensuring that the majority of penalty funds will directly benefit the communities closest to the Plant.	Group of 851 Contributors (Commenter reference 69)
RESPONSE: No response necessary.	
84. In the third sentence in Section V(9)(A) on page 15, ACHD should change the words "90% of the civil penalty amount included in Paragraph 9 above" to "90% of the civil penalty amount assessed in Paragraph 9 above."	Clean Air Council
RESPONSE: Changes have been made to the settlement to address this concern.	
85. I recommend the Community Benefit Trust proposal require that projects funded through the Trust follow ACHD's guidelines on	Dr. Elissa M. Weiss; Catherine Gammon; Philippe Truche; Jordan Swartz; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Harry

COMMENT	COMMENTER(S)
SEPs, define who will be able to propose projects or seek benefits directly, who will administer the Trust, and how the money will be distributed.	Hochheiser ; Adam Ravenstahl, Member PA House of Representatives 20 th Legislative District; Kate St. John; Seth Bush; GASP; Clean Air Council
RESPONSE: The Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy. The operation of the Trust will follow the Trust document.	
86. The Settlement Agreement should include a reliable, objective means to verify that U.S. Steel has completed SEP projects on time and in a satisfactory manner (i.e., periodic status updates).	Clean Air Council
RESPONSE: U.S. Steel’s SEP is to provide funds to the trust, which will be distributed to community projects. The accounting of those projects will be a responsibility of the Trustee. US Steel will not be undertaking any individual SEP projects.	
87. I recommend that negotiating teams determine what SEP costs are not eligible for inclusion in the cost estimate on which the penalty mitigation is based (e.g., overhead, additional employee salaries, administrative expenses, legal fees, and contractor oversight). If U.S. Steel is unable or unwilling to provide documentation supporting its cost estimate, the SEP should not be accepted.	Clean Air Council
RESPONSE: The US Steel SEP is solely the establishment of the Trust. US Steel will not determine what projects will be undertaken from the Trust. These will be determined by the municipal members of the Trust Distribution Board.	
88. When will the Trust begin paying benefits and what will the annual distribution goal be? ACHD’s SEP guidance states “schedules and interim reporting schedules, shall be agreed to by all parties and be made a part of the legally enforceable settlement document.”	GASP; Clean Air Council
RESPONSE: See Answers to comments 70 & 74. Initial steps include identification of a Trustee, establishment of the Trust Distribution Board, and transfer of funds. There is a Trust agreement to guide the parties, then Board may meet to begin distribution of funds to appropriate projects.	
89. Agreement should specify penalties for failure to ensure projects funded by the Trust are completed timely and correctly.	GASP
RESPONSE: It is uncommon to penalize organizations receiving grants, however all monies disbursed will be subject to the conditions of the Trust grant award agreements.	
90. There should be a specified method of winding up the Community Benefit Trust.	GASP
RESPONSE: The Trust will exist the length of this agreement at minimum and last at least until funds are depleted, or 21 years, as required by state law.	

COMMENT	COMMENTER(S)
<p>91. I recommend the following participatory budget process for the Trust in order to make sure that the communities most impacted receive the greatest benefit:</p> <ul style="list-style-type: none"> • Form a steering committee to create rules and an engagement plan. This committee would be, again, community based and composed primarily of residents living or working in the community; • Brainstorming ideas from residents to share and discuss issues and solutions in the community; • Developing ideas into feasible projects by engaging community volunteer budget delegates, as they be called; • Having residents vote on proposals that advance community needs and objectives • Engage community groups, foundations and healthcare professionals to assist with logistics such as identifying polling places for voting and assigning mentors to a project if necessary. 	Michelle Naccarati-Chapkis
<p>RESPONSE: A Trust Distribution Board will be established with one member from each of the five municipalities. The Board will be charged with determining which projects will be appropriate for funding under the guidance of a Trust agreement. The municipalities may find the suggestions in this comment to be useful in determining which projects to promote for their municipality.</p>	
<p>92. I recommend that the draft agreement be more specific in outlining the types of projects that may be funded with settlement monies (i.e., focus on air quality/health effects associated with infractions).</p>	<p>Peg Schmidt; Brittany Reno; Group of 37 contributors (commenter reference no. 7); Eva Resnick-Day; Lois Bower-Bjornson; John P. Baltrus, Ph.D.; Dr. Robert Gibb; Debra Smit; Kathleen Krebs; Ryan Johnson-Evers; Patrick Catena; Harry Hochheiser; Adam Ravenstahl, Member PA House of Representatives 20th Legislative District; Adam Ravenstahl, Member PA House of Representatives 20th Legislative District; The Breathe Collaborative; Clean Water Action; Howard J. Bednar, City Manager / Finance Director, City of Clairton; GASP; Clean Air Council; Sarah Starman</p>
<p>RESPONSE: The Fund may be spent on activities that improve public health or the environment, as set by the ACHD Supplemental Environmental Project guidance in the Civil Penalty Policy.</p>	
<p>93. Clairton City Council should have final say in how money is spent.</p>	Howard J. Bednar, City Manager / Finance Director, City of Clairton
<p>RESPONSE: The procedures and proper use of the funds will be directed by the Community Trust Board, where each of the five municipalities have a vote on how their money will be spent.</p>	
<p>94. I support the concept of allocating penalty monies so that they are used for projects that improve the health of residents in</p>	<p>Breathe Collaborative; Clean Air Council; Judith Lubern; Linda Huffington; Liz Ricci; BCM; Jason Brady; Mayor Rich Lattanzi (On</p>

COMMENT	COMMENTER(S)
the communities that have borne the brunt of many years' worth of emissions violations from the Clairton Coke Works.	behalf of the City of Clairton); Denise Johnson-Clemmons (Councilwoman 4th Ward, City of Clairton); Jackie Wade; Art Thomas
RESPONSE: No response necessary.	
95. Make sure fines go towards assisting people living nearby that have health problems associated with unsafe air pollution in the Mon Valley.	40 Contributors (commenter reference 70)
RESPONSE: The Trust Fund will follow the SEP guidance provided in the Allegheny County Air Program Penalty Policy. The operation of the Trust will follow the Trust document.	
96. I do not support US Steel being involved in the design of the trust nor its management or disbursement of any of these penalty funds (because this trust consists of penalty funds from past air quality violations).	Breathe Collaborative; Clean Water Action
RESPONSE: The Trust will be managed solely by the Trustee Board, not by ACHD or by U.S. Steel.	
97. I do not support CBT funds going to projects unrelated to air quality.	Kelsey Krepps (on behalf of PennFuture);
RESPONSE: The Allegheny County SEP policy, used as a basis for the Trust agreement, allows for funds to be used for projects that improve public health and the environment.	
98. Emission reduction projects should be analyzed to determine the quantity of emissions reduced from the Clairton Coke Works and potential impact on compliance with ACHD coke over emission rules as a means of achieving NAAQS in the Mon Valley.	Clean Water Action
RESPONSE: The State Implementation Plans (SIP) for PM _{2.5} and SO ₂ filed with the U.S. EPA set the means by which the area will attain these standards. The added controls included in this agreement are to improve the air beyond the SIP analysis.	
99. U.S. Steel has publicly stated that these emission reduction projects will cost \$200 million. These cost figures should be put on record in the settlement agreement to ensure that expenditures for emission reductions are enforceable by ACHD.	Clean Water Action; Clean Air Council
RESPONSE: The end goal of the upgrades is not to ensure that U.S. Steel spends a certain amount of money, but rather that the listed improvements are made, and its facility operates with less emissions.	
100. I recommend that this fund be used to directly benefit residents by purchasing HEPA air filtration systems for every home that requests it, up to one per room, and PurpleAir monitors for every home that requests one.	Mark Dixon

COMMENT	COMMENTER(S)
RESPONSE: Projects under the Community Trust Fund will need to follow the requirements of that Fund. Clean Air Fund requests will need to follow the regulations of ACHD Article XXI 2109.09.	
101. Regarding the upgrades, the cost of individual projects should be considered in the PM 2.5 SIP analysis in order to determine if these expenditures are an efficient way to reduce emissions from the facility.	Clean Water Action
RESPONSE: The improvements in this agreement are separate from the PM-2.5 SIP process.	
102. I support a third-party making decisions on how the money from the fine is spent, with priority being given to projects that will help address the problems caused by this pollution (e.g., community foundation).	Group of 37 contributors (commenter reference no. 7); Clean Water Action; Group of 131 contributors (commenter reference no. 68)
RESPONSE: The Allegheny County Health Department Supplemental Environmental Project policy allows for projects that improve the environment or health. The trust will have a Trustee Board making decisions how that money is spent	
103. I recommend that other communities (including West Elizabeth, Jefferson Hills, Pleasant Hills, West Mifflin, and South Park) be included among communities helped by the Community Benefit Trust.	Joshua Jordan; Jennifer Ignaczak; John P. Baltrus, Ph.D.
RESPONSE: ACHD had decided that the Trust will be available, at least initially, to the municipalities identified by the United State Environmental Protection Agency as an area of concern, as listed in the in the 2006 PM-2.5 non-attainment area (still non-attainment under the 2012 standards), namely: City of Clairton and the Boroughs of Glassport, Lincoln, Liberty, and Port Vue.	
104. I recommend that the Agreement clearly define the parties within the affected communities who will be eligible to benefit from the Trust.	GASP; Clean Air Council; Nickole Nesby (Mayor of Duquesne); Cindy Meckel
RESPONSE: The Trust will be coordinated by representatives from each of the five communities. Each representative may sponsor one or more projects, to be approved by the majority of the representatives. Although there is not a condition on who might receive funds, the projects must follow the purposes and goals of the ACHD Supplemental Environmental Projects Policy.	
105. I do not support monies being diverted from the Clean Air Fund and into a Community Benefit Trust as there is only one citizen representative and fewer scientists on the Community Advisory Panel. Furthermore, I do not support the CBT as it is not subject to the same oversight and restrictions on uses as the Clean Air Fund.	Fran Harkins;
RESPONSE: The Citizen Advisory Panel will not be involved in the Community Trust Fund. The Fund will be managed by a separate Trustee Board who is independent of both ACHD and	

COMMENT	COMMENTER(S)
the company. The Fund will be constrained by its own procedures, set within the Supplement Environmental Project process within ACHD's Air Quality Penalty Policy.	
106. In the sentence in Section V(9)(B) on page 16, ACHD should change the words "10% of the civil penalty due under Paragraph 9 above" to "10% of the civil penalty assessed under Paragraph 9 above."	Clean Air Council
RESPONSE: Changes have been made to the settlement to address this concern.	
Part VI	
107. I support maintaining emissions monitoring practices.	Paul Klein; Catherine Gammon; Benay Knaany; Martin Parness
RESPONSE: No response necessary.	
108. I recommend installation of more Air Quality monitors surrounding the facility, running 24/7 (funded by settlement).	William Epting
RESPONSE: The ACHD performs a review of monitoring adequacy on a regular basis. The next full review is scheduled for 2020.	
109. I recommend both parties review the data provided through the Smell PGH app by the CMU CREATE Lab.	John P. Baltrus, Ph.D.
RESPONSE: Smell App data is a tool used by ACHD along with all other relevant data.	
110. I recommend including a provision to review all test methods within 1 year to make sure they are based on best current technologies.	John P. Baltrus, Ph.D.
RESPONSE: The settlement agreement includes a process to review and update testing requirements and placing them in ACHD Article XXI. It may take longer than one year; therefore, interim procedures are included in the agreement.	
111. I recommend adopting rule changes through the proper legal rulemaking process that is required by Local Health Administration Law 16 P.S. § 12011(c). ACHD cannot perform the County's rulemaking functions through a settlement agreement.	Clean Water Action
RESPONSE: Any regulation changes must and will be made through the full legal rulemaking process. Nothing in this settlement violates these requirements.	
112. Proposed changes to test methods should be enforceable (e.g., the speed at which an ACHD inspector walks while conducting visual observations).	Clean Water Action
RESPONSE: The interim procedures within this agreement may be changed and placed into regulation, as described in the agreement. The test methods in this agreement are clarifications of how the existing regulations will be enforced until new regulations are promulgated.	
113. ACHD should use technology such as FLIR cameras which can accurately record	Clean Water Action

COMMENT	COMMENTER(S)
visual emissions and leaks from the many emission points on a coke oven.	
RESPONSE: ACHD continues to investigate useful methods to evaluate sources, though this is not part of this settlement.	
114. I do not support ACHD agreeing to abandon its current test methods which under this Agreement will form the only acceptable criteria for determining U.S. Steel’s compliance with the Agreement.	Marcellus Protest
RESPONSE: The inspection procedures under this agreement are clarifications or minor changes of procedures already in place.	
115. I recommend including a real-time peak emission limit rather than only an hourly COG H ₂ S gr/dscf limit as compliance based on hourly averages make it easier for the violator to meet sulfur emission limits.	John P. Baltrus, Ph.D.
RESPONSE: The shortest sulfur emission limit is an hourly limit. An hourly H ₂ S limit is appropriate.	
Part VII	
116. I recommend ACHD specify and ensure that the agreement does not prevent or delay the promulgation of new regulations.	Dr. Elissa M. Weiss; Catherine Gammon; Philippe Truche; Breathe Collaborative; Kate St. John; Seth Bush; Marcellus Protest; GASP; Clean Water Action
RESPONSE: This agreement only requires that the regulation changes to the battery fugitives be achievable and effective. This agreement is independent of any other rulemaking pursued by ACHD.	
117. I do not support the part of the agreement stating “any more stringent limit must be supported by a demonstration that such limit is shown to correlate with a measurable reduction in hydrogen sulfide and benzene levels at the Liberty monitor.	Breathe Collaborative
RESPONSE: The parties do not want to have new regulations without being able to demonstrate that they are feasible and will influence air quality in its jurisdiction.	
118. U.S. Steel should be required to cooperate with ACHD to develop technical data for the development of emission standards.	Clean Water Action
RESPONSE: U.S. Steel has a vested interest in any changes to coke oven regulations and will want to be involved.	
119. I recommend that ACHD pursue stricter enforcement, specifically regarding ozone.	Thomas Kelly
RESPONSE: The violations in this settlement at U.S. Steel Clairton Coke Works do not appreciably affect ozone ambient violations. However, ACHD will continue its role as a regulator and act in its delegated role to enforce the Clean Air Act.	

COMMENT	COMMENTER(S)
<p>120. ACHD should present a draft rule for public comment as soon as possible in order to hear from all stakeholders as early in the process as is feasible.</p>	<p>Clean Water Action</p>
<p>RESPONSE: Proper regulations under this agreement will involve some modeled analysis and/or evaluations of the source’s inspection processes. This will take some time, but the work has begun. There will be a period to receive public comment on these regulations.</p>	
<p>121. Part VII is written in such a way that on a casual reading, it can be taken as encouraging a continued tightening of standards and a continued improvement in air quality. In fact, it is a list of criteria which must be met in order to allow more stringent standards, some of which are fundamentally impossible to meet. For example, in Part VII.12 US Steel agrees not “to challenge ... on the grounds of technical feasibility” an emission limit which has been demonstrated “... to correlate with a measurable reduction in hydrogen sulfide and benzene levels at the Liberty monitor.” This is a self-contradictory requirement, since it can be satisfied only by a measure which has been implemented – in which case it has already achieved technical feasibility. There are many other grounds on which US Steel remains free to challenge such a demonstrably feasible standard.</p>	<p>Marcellus Protest; David Bertenthal</p>
<p>RESPONSE: The measurable reduction in hydrogen sulfide and benzene levels will be prospective and come from modeling rather than post-implementation measurements.</p>	
<p>Part VIII</p>	
<p>122. I recommend that the agreement more fully define the role and authority of the proposed Community Advisory Panel.</p>	<p>Dr. Elissa M. Weiss; Jordan Swartz; Marcellus Protest; David Bertenthal; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Kate St. John; Seth Bush</p>
<p>RESPONSE: Community Advisory Panels are a common process by industries to share information. The panel is advisory only and its directive is explicitly to be an avenue of communication between U.S. Steel and the residents of the five communities most affected by violations at the Clairton Coke Works.</p>	
<p>123. I do not support ACHD having a role in formulating the rules for the Community Advisory Panel.</p>	<p>Marcellus Protest</p>
<p>RESPONSE: The Panel will be essentially self-governing and set its own rules.</p>	
<p>124. I recommend that ACHD and U.S. Steel be required to act faithfully on the Community Advisory Panel’s opinions.</p>	<p>Dr. Elissa M. Weiss; Philippe Truche; Jordan Swartz; Jason Pampena, MPH; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Catherine Gammon; Jason Pampena, MPH;</p>

COMMENT	COMMENTER(S)
	Harry Hochheiser; Kate St. John; Seth Bush; Marcellus Protest
RESPONSE: The Community Advisory Panel, by definition, will have a solely advisory function.	
125. I do not support U.S. Steel having any influence on the Community Advisory Panel.	Debra Smit; Kathleen Krebs; Ryan Johnson-Evers; Eric Probola; Breathe Collaborative; Kate St. John; Marcellus Protest; Mark Dixon
RESPONSE: The inclusion of U.S. Steel in the Community Advisory Panel will be a resource to the other members as they will be in a better position to immediately report on U.S. Steel's internal processes and procedure.	
126. A sufficient signal of the CAP's independence would be allowing it to use the funds to build a public outreach campaign to educate the community about the devastating impacts that U.S. Steel has on local air quality.	Mark Dixon
RESPONSE: Though this kind of education project might be a valid use of the Community Trust Fund monies, the CAP is not associated with the Community Trust Fund. Rather the CAP is intended to be an intermediary for communications between U.S. Steel and citizens of the surrounding communities.	
127. I do not support U.S. Steel having an outsized influence via its representative on the Community Advisory Panel.	Peg Schmidt; Eva Resnick-Day; Dr. Robert Gibb; Eric Probola; Richard Alex Hofer; Adam Ravenstahl, Member PA House of Representatives 20 th Legislative District; Nickole Nesby (Mayor of Duquesne)
RESPONSE: The inclusion of U.S. Steel in the Community Advisory Panel fosters a spirit of cooperation among the parties to this agreement. However, the interests of the company will not surmount those of the other members of the Panel. Members are to be chosen by the local communities.	
128. I recommend there be an impartial third-party controlled process for choosing members of the Community Advisory Panel.	Jason Pampena, MPH;
RESPONSE: Each of the five communities (Liberty, Lincoln, Port Vue, Glassport Boroughs and the City of Clairton) will choose its participating members.	
129. I recommend incorporating a means of taking comments from community members who are not part of the CAP.	Jason Pampena, MPH; Breathe Collaborative
RESPONSE: See response to comment 123. The onus of ensuring effective communication with the community will be on the chosen representative.	
130. I support including non-ACHD and U.S. Steel members on the CAP.	Jason Pampena, MPH; Breathe Collaborative; Marcellus Protest; GASP
RESPONSE: No response necessary.	
131. I recommend that the CAP include a formal grievance process, whereby any disagreements that cannot be resolved through open communications can have a prearranged, mutually agreed upon process for arbitration.	Jason Pampena, MPH

COMMENT	COMMENTER(S)
RESPONSE: The CAP is a listening and advisory group. There are no potential transactions that will necessitate grievance processes.	
132. I recommend that the selection process for members of the CAP be done transparently and heavily weighted towards community public health experts and community members.	Breathe Collaborative; Kelsey Krepps (on behalf of PennFuture); Cheryl Hurt
RESPONSE: Each of the five communities (Liberty, Lincoln, Port Vue, Glassport Boroughs and the City of Clairton) will choose its participating members. The CAP is a listening and advisory group for the local community, rather than an advocacy group.	
133. I recommend using a transparent, easily understood accountability system for how money is used (such as a quarterly report published on a community website).	Breathe Collaborative; Clean Water Action; Mel Packer
RESPONSE: While quarterly reports are not typical for these kinds of entities, the Community Advisory Panel will have discretion to incorporate such a requirement into its practices if it so chooses.	
134. I recommend that the panel reflect the diversity of Clairton and the other adjacent communities. Membership and core values of the panel must explicitly reflect diversity, equity, inclusion and justice, expressed in written form and displayed on a website.	Breathe Collaborative; Kelsey Krepps (on behalf of PennFuture)
RESPONSE: See answer to comment 132.	
135. The CAP should have a representative from each adjacent community.	GASP
RESPONSE: See answer to comment 132.	
136. The advisory panel should include at least two experts in public health that are independent of the Health Department and US Steel.	Breathe Collaborative
RESPONSE: See response to comment 132.	
137. The advisory panel should include at least two residents from each of the impacted communities.	Breathe Collaborative; Brenda Lynn Smith
RESPONSE: See response to Comments 132. The panel as designed will be of a more manageable size.	
138. The CBT should include at least three advocacy organizations.	Kelsey Krepps (on behalf of PennFuture);
RESPONSE: See response to Comment 132.	
139. The advisory panel should include at least three members of regional environmental nonprofit organizations with expertise in air quality.	Breathe Collaborative
RESPONSE: See response to Comment 132.	

COMMENT	COMMENTER(S)
140. The advisory panel should meet at least quarterly.	Breathe Collaborative
RESPONSE: The agreement has been changed to require at least 4 meetings per year.	
141. The advisory panel should meet with the Director or the Deputy Director of ACHD at least twice per year.	Breathe Collaborative
RESPONSE: The purpose of the panel is for interactions between the local community and the plant, not ACHD.	
142. Meetings of the CAP should be treated as public meetings and be advertised at least two weeks in advance, conducted in a public place; be open to the public in general, have agendas published at least two days in advance of the meeting on a public website, and have minutes that are published within 1 week of the meeting on a public website.	Breathe Collaborative
RESPONSE: Citizen Advisory Panels are not normally public events, though the Panel may decide to operate as such.	
143. Community Advisory Panel meetings should be open to the public.	Marcellus Protest
RESPONSE: See response to comment 142.	
144. U.S. Steel should be obligated to record evidence presented to the Community Advisory Panel.	Marcellus Protest
RESPONSE: See response to comment 142.	
Part IX	
145. I recommend automatic escalation of fines when the plant violates emission standards as a means of encouraging temporary closure and improvement of facilities.	Chris M. Horwitz, PhD
RESPONSE: An increase of penalties is included in Section 14.C.	
146. I recommend the agreement require that ACHD pursue meaningful enforcement actions if violations occur.	Dr. Elissa M. Weiss; Group of 37 contributors (commenter reference no. 7); Catherine Gammon; Howard M. Rieger, PhD; Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault; Kathleen Krebs; John F. Nagle; Dobb Wilson; Michelle Naccarati-Chapkis; County Councilwoman Anita Prizio; Clairton Councilman Richard L. Ford, III
RESPONSE: The settlement does not preclude ACHD from pursuing resolutions of violations as allowed under Article XXI.	
147. I recommend the agreement require U.S. Steel shut down and repair old coking batteries that cannot operate lawfully (because penalty fines do not appear to be a sufficient deterrent to stopping emissions violations).	The Breathe Collaborative; Sarah Starman; Michelle Naccarati-Chapkis

COMMENT	COMMENTER(S)
RESPONSE: Coke batteries cannot be “shut down” without destroying the unit. Even extended idling can do damage. Having said that, repairs are already required under the terms of this settlement agreement.	
148. I recommend that short term ambient exceedance H ₂ S or SO ₂ penalties should be reflective of the negative effects on the surrounding communities including health effects and loss of property values.	John P. Baltrus, Ph.D.
RESPONSE: Penalties are not based on violations of ambient levels, for many sources may contribute to those levels. Instead source emissions and operational requirements are set for each piece of equipment. Penalties are based on violating those source emissions and operational requirements.	
149. It would be helpful if the Stipulated Penalties section in the Agreement included a comparison to civil penalties that would normally be calculated by the ACHD in the event of a violation.	Marcellus Protest
RESPONSE: The stipulated penalties are based on a simplified version of the existing ACHD Air Quality Enforcement Policy, and though not identical, they are comparable.	
150. I recommend clarifying the definition of short-term ambient exceedances of H ₂ S or SO ₂ .	GASP
RESPONSE: Ambient Air Quality exceedances of H ₂ S and SO ₂ are set by Federal, state and County regulations.	
Part XII	
151. The Force Majeure clause is inadequate in that it only requires U.S. Steel to notify ACHD of Force Majeure and continue making “diligent efforts” to fulfill its obligations in a timely fashion. This would effectively amount to an extension on any mandated tasks or a forgiveness of possible monetary penalties.	Marcellus Protest
RESPONSE: The very nature of Force Majeure is to respond to situations that are outside of the company’s control or are not foreseeable.	
Part XIII	
152. I recommend that the agreement have a roughly one-year term rather than a five-year term (with 12-18 months maximum for repairs) in order to give ACHD discretion to enforce against future violations (especially given ACHD’s commitment to attain the NAAQS by 2021).	Clean Water Action
RESPONSE: The time limits within this agreement are set to allow for the necessary actions to take place.	

COMMENT	COMMENTER(S)
Miscellaneous/General Comments	
<p>153. I support the settlement overall.</p>	<p>David Cranston Jr.; Valerie S. Gaydos, State Representative, 44th Legislative District; 70; Mayor Rich Lattanzi (On behalf of the City of Clairton); Sarah Starman; Jeff Nobers; Kurt Barshick (manager for U.S. Steel mon Valley Works); Bob Breisinger; Forest Vic Townes; Scott Pisula; Bob Dobransky; Jeff Brysh; Michael Rhoads; James Borkowski; Aristotle Aivaliotis; James Lloyd; Scott Cameron; Maury Burgwin; Scott Cameron; Steve Mazza; Carl Sergeant; Group of 851 Contributors (Commenter reference 69)</p>
<p>RESPONSE: No response necessary.</p>	
<p>154. I support ensuring transparency from U.S. Steel.</p>	<p>Catherine Gammon</p>
<p>RESPONSE: The reporting requirements assure continued compliance.</p>	
<p>155. I recommend more substantive promises from U.S. Steel.</p>	<p>Catherine Gammon;</p>
<p>RESPONSE: The emission reduction targets and facility upgrades are concrete, measurable targets for U.S. Steel and appropriate for the violations included in this settlement.</p>	
<p>156. I recommend a clear statement of who determines technical and economic feasibility of U.S. Steel’s corrective action plan (I don’t want it to be U.S. Steel and think ACHD is unqualified)</p>	<p>John P. Baltrus, Ph.D.</p>
<p>RESPONSE: ACHD will approve the actions in the corrective action plan, and will use outside expertise as deemed necessary.</p>	
<p>157. I recommend U.S. Steel implement a means of alerting the community if a potentially deadly emergency occurs (such as the 2018 Christmas Eve fire)</p>	<p>Jordan Swartz; Kelsey Krepps (on behalf of PennFuture)</p>
<p>RESPONSE: Emergencies are not addressed in this specific settlement.</p>	
<p>158. I recommend only allowing zero emission facilities to operate.</p>	<p>Ilya Basta</p>
<p>RESPONSE: Due to the very nature of coke ovens it is not possible to operate at absolute zero emissions. The intent of this settlement, and those of the County regulations, is the operation of coke oven batteries in such a manner that the amount of emissions released do not result in violation of health standards.</p>	
<p>159. I recommend not factoring the impact this settlement will have on jobs.</p>	<p>Kathryn Roecklein; Patty Shaffer; Melanie Meade; Benjamin John Chiszar</p>
<p>RESPONSE: The ACHD does not consider jobs in its penalty calculations or enforcement actions.</p>	
<p>160. I do not support shutting down the U.S. Steel Clairton facility.</p>	<p>Mayor Rich Lattanzi (On behalf of the City of Clairton)</p>

COMMENT	COMMENTER(S)
RESPONSE: This agreement does not contemplate the shutdown of the U.S. Steel Clairton Coke Works.	
161. The Agreement uses data from December 24, 2013 to December 23, 2018 as a baseline standard of performance for future compliance. During this period there were several air quality violations, so choosing this baseline sets a low standard of performance for benchmarking purposes.	Breathe Collaborative; Clean Air Council; Jay Walker (Community Organizer with Clean Air Council)
RESPONSE: The period set to identify the capability of the batteries' operation is extensive enough to identify good operations. It is necessary to use the most recent data as repairs and operations change over time.	
162. I recommend U.S. Steel be required to achieve a six-sigma quality compliance rate of 99.99966% rate within three years (rather than less than four sigma, i.e. <99.38%).	Breathe Collaborative;
RESPONSE: ACHD strives to have 100% compliance from U.S. Steel emissions requirements. This settlement is movement toward that goal.	
163. The minimum compliance level triggering hot idle of coke batteries should be set at the 2018 compliance rate of 98.1%.	Clean Water Action
RESPONSE: The settlement agreement reflects the 2018 order requirements for idling if 2 consecutive quarters did not improve. This was satisfied by June 30, 2019. There are no other idling provisions in this settlement or the underlying order.	
164. I do not support releasing U.S. Steel from enforcement in exchange for the terms of Sections IV and IX.	Marcellus Protest
RESPONSE: Nothing releases U.S. Steel from enforcement. They remain subject to the requirements of Article XXI, terms and conditions of their permits, and federal rules.	
165. I do not support U.S. Steel making no admissions, promises, and getting a five-year reprieve from enforcement.	Marcellus Protest; Kelly Nelson
RESPONSE: This is a settlement agreement intended to find an adequate compromise to several complex issues. Requiring an admission of guilt does not advance our goals of compliance.	
166. This notice and comment period is effectively meaningless anyway since the agreement is already "signed, sealed, and delivered."	Marcellus Protest
RESPONSE: The settlement agreement, signed June 27, 2019 is in effect and enforceable. The settlement agreement allowed for a public comment period and the ability to modify the agreement based on comments received. This comment and response document explain where modifications have or have not been made, and the modified agreement will become an order by the Appeals Hearing Officer.	
167. I do not support U.S. Steel not admitting guilt.	Benjamin John Chiszar; Tyler Cannon; Mel Packer; Gloria M. Ford

COMMENT	COMMENTER(S)
RESPONSE: <i>See response to comment 165.</i>	
168. I recommend putting greater emphasis on worker safety and wellbeing.	Malcolm Jarrett
RESPONSE: Although safety is of utmost concern to both parties, ACHD Air Quality Regulations Article XXI has no authority over safety issues, and so this settlement does not include safety measures.	
169. The Settlement should hold U.S. Steel accountable for dangerous pollution and go further to protect public health. Recommend U.S. Steel do more than simply demonstrate improvement (strive for fully compliance with Clean Air Act permits).	Group of 131 contributors (commenter reference no. 68)
RESPONSE: ACHD strives to have 100% compliance from U.S. Steel and other industries. This settlement is movement toward that goal for U.S. Steel Clairton Works.	
170. Please take the strongest possible action to reduce pollution from noncomplying coke batteries.	40 Contributors (commenter reference 70)
RESPONSE: No response necessary.	
171. Comments and Pictures from Children: Help clean our air and protect our health.	11 Contributors
RESPONSE: Thank you for your participation in this process. ACHD continues to work toward improved air quality and expect that the settlement will move us toward cleaner air.	

Commenter Reference

1. James A. Wright
2. Dr. Elissa M. Weiss
3. Fran Harkins
4. Peg Schmidt
5. Brittany Reno (Sharpsburg Borough Council President)
6. Paul Klein (Allegheny County council, District 11)
7. Letter sent by Zach Barber [37 signatories]:

Melissa Barbour; Frankie Baumer; Brianna Belfiore; Mateus Ciancio; Caroline Collins; Michael Cowan; Patrick Dittmar; Scott Faber; Taylor Fazio; Josette Fitzgibbons; Ava Galioto; James Hoang; Kenn Hudak; Katie Jack; E. Kaloyeropoulou; Briana Kelly; Michele Margittai; Will McCullough; Kelsey McNaul; Anthony Mendicino; Christine Montgomery; Steve Riccardi; Stephen Root; Alexis Rzewski; Monica Shapiro; Lucy Shi; Xinvue Shi; Tara Sparacino; Eva Speiser; Sheryl Strobl; Gayle Tissue; Sujay Utkarsh; Jasminne Velondia; Riley Weber; Kyle Wolfe; Bradley Wulfkuhle; Matthew Zanowic
8. Joshua Jordan
9. Catherine Gammon
10. Jennifer Ignaczak
11. Eva Resnick-Day

12. Howard M. Rieger, PhD
13. Philippe Truche
14. Lois Bower-Bjornson
15. John P. Baltrus, Ph.D.
16. Jordan Swartz
17. Timothy P. Kelly
18. Constantine “Dean” Orfan
19. Collette Walsh
20. Ilya <mr.basta@gmail.com> (no further contact information given)
21. Dr. Robert Gibb
22. Isabelle Toomey
23. Jason Pampena, MPH
24. Bethany Narajka
25. Bonnie Gillis, Ben Love, Karen Bernard, Abigail Ault (separate emails)
26. Abigail Ault also recommends installation of more air quality monitors throughout the area
27. Margaret Schmidt (2nd comment?)
28. Theresa Anderson
29. Harry Hochheiser
30. Debra Smit
31. Kathleen Krebs
32. Chris M. Horwitz, PhD
33. Ryan Johnson-Evers
34. Patrick Catena
35. Eric Probola
36. Benay Knaany
37. Richard Alex Hofer
38. Lee Lasich (Councilperson for the Third Ward of the City of Clairton)
39. John F. Nagle
40. Dobby Wilson
41. William Epting
42. Kathryn A. Roecklein
43. Adam Ravenstahl, Member PA House of Representatives 20th Legislative District
44. Breathe Project/Collaborative Letter (**15 signatories – many commented individually**)

Signatories: Matthew Mehalik, Ph.D., Terrie Baumgardner, Emily Cleath, Ashleigh Deemer, Deborah Gentile, Edward C. Ketyer, M.D., Kelsey Krepps, Glenn Olcerst, Barbara Talerico, Howard M. Rieger, PhD, Raina Rippel, Eric Schaeffer, Larry Schweiger, Phoebe Reese, Angelo Taranto

[comments are on behalf of the Breathe Project; Allegheny County Clean Air Now (ACCAN); Allergy and Asthma Wellness Centers (AAWC); Beaver County Marcellus Awareness Community (BCMAC); Climate Reality: Pittsburgh & Southwestern PA; East End Neighbors Fight Against Pollution; Environmental Health Project; The Environmental Integrity Project (EIP); Lawrenceville Clean Air Now (LCAN); PennEnvironment Research & Policy Center; PennFuture; Physicians for Social Responsibility (PSR) Pennsylvania; and Rail Pollution Protection Pittsburgh (RP3).]

45. Clean Water Action

Signatory: Myron Arnowitt

46. Edward J Chute, PhD

47. Howard J. Bednar, City Manager / Finance Director, City of Clairton

48. Kate St. John

49. Marcellus Protest

50. Seth Bush

51. GASP

Signatory: Ned Mulcahy, MPH

52. Clean Air Council

Signatories: Joseph Otis Minott, Esq. Christopher D. Ahlers, Esq

53. David Cranston Jr.

54. Valerie S. Gaydos, State Representative, 44th Legislative District

55. Cindy L. Bahn, JD, MBA, Borough Manager, West Homestead

56. Judith Lubern

57. Christine Cherevka

58. Heather Olson

59. Barbara Simons

60. Kim Graham

61. Myron Arnowitt (as individual)

62. Linda Huffington

63. Liz Ricci

64. BCM

65. Mary Clause

66. Jason Brady

67. Thomas Kelly

68. Form Letter RE: Hold U.S. Steel accountable for dangerous pollution.

Kathleen Krebs; Mike Hendry; Dr. Kevin Whitley; Evan Dull; Leslie Mitchell; Leslie Stem; George Kasten; Jesse Horan; Susan Paine; Diane Cicco; Julie Mosey; Brad Mason; Jan Kropczynski; Sue Bialostosky; Andrea Schultz; Mary Kate Ranii; Eva Tumiel-Kozak; Ellie Kruger; Ralph Meyer; Margaret Schmidt; Heather Marin; Phillip Chiodo; Dave Bindewald; James Staszewski; Caitlin Evans; Thomas Hayes; Connie Hester; Mike Stout; Sonia Liskoski; Linda Oliver; Jennie Niedelman; Tara Yaney; Heather Rosul; Dr. Chris Horwitz; Aviva Lubwosky; Glenn Wood; JC Kasten; Jason Hochreiter; Dr. Sanford Leuba; Dr. Frank Viverette; Dr. Katherine Plotnicov; John Castanon; Ena Miceli; Douglas Seay; Valerie Klauscher; Bert Olah; Kristine Hunt; Rocco Malerbo Jr; Daniel Salmen; Felicia Bennett; Kim O'Donnell; Dilla Mastrangelo; Carolyn Hare; Roger Hollander; Kenda Hammer; Patricia Craychee; Rose Pian; Elizabeth Bjerke; Nancy Heastings; Melissa Porter; Kimberly Zapf; Sharon Hoffman; Debra DiSilvestro; William Wekselman; Caryn Raiford; Doreen Datz; Michael Zapf; James Dyer; Amya Carothers; Dennis Hennessey; Justin and Darlene Luzar; Dr. Claire M. Cohen; Fonda Hollenbaugh; Edith Abeyta; Kenneth Bickel; Rosemary Coffey; Joan

Gordon; Stephanie Ulmer; Isabelle Toomey; Nancy Malone; Zane Cannon; Marie Engberg; Dan Volpatti; Mandy Hooks; Edward Jasiewicz; Dr. Nick Milam; Dr. Sherwood Johnson; Andrew Bechman; William Williams; Frank Ferguson; Mahnaz Harrison; Bill Schill; Katie Houser; Hugh Watkins; Tamar George; Nicholas Scheman; Ronald Martin; Mary Helssi; Dr. Todd Susto; Crys Garry; Jonathan Heck; Toni James; Amber Kelly; Scott Koerber; Myrona Little; Luke Henry; Dr. Emily Wanderer; Michelle MacVeigh; Grace Stokan; Kate Sherman; Deborah Kiss-Holtschlag; Hayley Wickstrom; Jason White-Wiedow; Reginald Raye; Rachel Buehl-Colella; Melissa Matis; Paul Failla; Mary Smith; Ashley Nayden; Mason Astill; Amber Coppings; Danielle Gensler; Rozann Saaty; Mindy Ranney; Julie DiCenzo; Magda Gangwar; Tina Elton; Molly Potts; Dana Spano; Deborah Marchand; Garret Wassermann

[131]

69. U.S. Steel Form Letter

Signatories: Tim Babyak; Michael Ornot; Laura Lopez; Dorothy Otto; Carl Hanselman; Elizabeth Patton; Shane Yates; Victor Murphy; Margie Lopez; Patty McAfee; Greg Nelson; Kimberly Redd; Donald Frelin; Bernard Makowski; James Schmidt; Bart Heinritz; Douglas Gardner; Jim Buchner; John Michaud; Gregory Bednar; Marybeth Prickett; Gregory Snyder; Alana Blatz; Nicholas Yeanuzzi; Steve Mcknight; Catherine Roberts; Mary Rothbauer; John Michaud; Matthew Trabbold; Robert Mancine; Tina Dalessandro; Patricia Kazimer; Thomas Rothbauer; Beata Herold; Randall Rothbauer; Chad Wheland; Hannah Roberts; Josh Mangus; Jacob Busche; Jodi Bukera; David Rose; Andrew Jung; Brytnee Wesolowski; Jason Osekowski; Chip Mitchell; Judith Wesolowski; Daniel Velasquez; Dennis Henry; Mark Conedera; Joshua Bernazzoli; Raymond Osekowski; Shiju Thomas; Nancy Moser; Erin Blatz; Arthur Moncini; Tom Zielinski; Dennis Watt; William Olack; William McInnes; Christy Pisula; Laura Rotolo; Wayne Everett; Garrett Kurtz; Robert Straw; Ray Kleppick; Jason Anderson; Nikhil Valluvan; Shannon Watt; Michael Sodora; Brian Hazlett; Aaron Flaitz; Robert Wargo; Adam Laster; Nick Tour; Dennis Halaszynski; Terry Redenbaugh; Robert Stinner; Lawrence Mugrage; Yun Li; Matthew Dudik; Owen Weston; Daniel Burkett; Brian Pritz; Ronald Poremba; Scott Story; Garth Lutsko; Anthony Muscatello; David Mysko; Steve Horvath; Sean Brice; Cindy Nelson; Roy Bell; Cody Scheaffer; Morgan Moncini-Rotolo; Thomas Gasior; Elizabeth Berringer; Christine Marchand; Aaron Nelson; Ellen Conedera; Kate MacDonald; Gina Pipak; Sam Rothey; Bruce Hordusky; David Galo; Michael Watson; Joann Ash; Maurice Cobb; Lawrence Kohlhoff; Andrew Petro; John Lynch; Danny Serock; Michael Lekovitch; Kerry Moser; Ron Bowser; Lee Astle; Daniel Nunzir; Rick Benson; James Davenport; Dave Andretti; Jonathan Walko; Matthew Diehl; Mike Kennedy; Curtis Hayden; Mary Giles; Liz Bettinger; Chelsea York; Larry York; Linda Nave; Edward Pisula; Leonard Cimperman; Michael Coyle; Audrey Young; Vic Townes; Jeffrey Young; Jamie Eversole; Leah Anderson; Corey Ingram; William Herbert; Matthew Ridilla; Donna Shuck; Nicholas May; Jeffrey Kerston; Jeremy Aube; Cynthia Vickers; Timothy Curry; K Stone; William Derence; Andrew Joyner; Mary Cooke; Lorijane Critchlow; James Hughes; Stephanie Reynolds; Kristine Kerston; Darrell Dean; Chantel Williams; Joseph Malley; Suzan Brady; Robert Scheidter; Sara Onusko; Debra Catellier; Joseph Brown; Michael Malkowski; April Malkowski; Natalie Gazzam; Diane Gazzam; Lauren Gazzam; Jason Wyble; Willis Lawson; Seth Siniawski; Douglas Weighley; Gregory McCoy; Timothy Rossetti; Caleb Brown; Michael Michalik; James Rohbeck; James Sutton; Jerome Galloway; Dorian Owens; William Hamm; Ryan Payne;

Charles Browning; Brent Sopko; Mark Marino; Ryan Alexander; William Alexander; Aaron Caplinger; Erick Widenhofer; Adam Winston; Jesse Mahon; Paul Granzeier; Jody Villella; Adam Szczyplinski; Bruno Papalia; Justin Puhr; Jason Lappe; Troy Neuherz; Sean Rush; Ronnell Kennedy; Shawn Updegraff; Kenneth Keibler; Mark Tomaszewski; Zach Lang; Nicholas Konopka; Sharon Lau; Robert Thomas; Adam Lockhart; James Sicilia; Madeline Williams; Chris Krepps; William Maglicco; James Miller; Anthony Gennaccaro; Renee Crosby; Nathanael Hale; Carlos Boyd; Brighton Early; Alexander Barna; Helen Barna; Randy Hoke; Ryan Foley; Corey Page; Michael Stuart; Roy Holiday; Brian McSurdy; Sam Chury; Justin Herder; Robert Kelly; Dakota Dingel; Herman Olander; Thomas Neel; Jennifer Beamish; Kevin Chiu; Justin Reid; Sean Cloonan; Jarrod Hobaugh; Edward Melodini; Nickolas Ritter; Dan Egan; Brian Lober; Joseph Kovach; Michael Howard; Kyle Hutter; Russell Little; Joseph Dilla; Gary Ball; Jessica Shroyer; Gerald Green; Julian Garner; Thomas Borek; David Sphar; Joseph Messina; Jake Manko; Luke Picard; David Lysiak; David Huber; John Swenglish; Michele Stanton; Alex Ott; Shawn Davis; Tara Diaz; Robert Donahoe; Brian Kirk; Scot Duncan; Haley Beck; Stephen Shaffer; Tian You; Robert Belardia; Nicholas Schilling; Michelle O'Neill; Dan Thomas; Robert Campman; DJ Mance; Kylie Zeis; Brad Rimmel; Lauren Brace; Stephanie Jones; Angelina Ocilka; Samuel Wright; Joan Trax; Shannon Panichella; Carly Riemer; Tyson Stupy; Michael Patcher; Brian Nowakowski; Robert Beltz; Patrick Maxwell; Jonathan Carnes; Apurva Verma; Marylean Abney; Christopher Runyan; BM Herold; Kambiz Doonboli; William Buono; Jeremy Shaffer; Madeline Stupy; Donna May; Anthony Trunzo; Daniel Clipper; Stephanie Casey; Douglas Zywan; Mike Williams; Tucker Kulp; Jean Kotsagrellos; Stephanie Banai; Janet Spang; Carole Ficorilli; Marjorie Gourn; Garrett Smith; Timothy Sestrich; Dianne Spisak; Blaine Homistek; Natalie Renziehausen; Mark Mustian; Brad Horner; James Becker; Elizabeth Velardo; Shane Gourn; Amanda Smith; Judith Siler; Ashley Shanahan; Kimberly Clanagan; Remigious Simon; David Allegood; Linda Geissler; Greg Bowden; Dennis Watson; Melissa Davin; Ryan Stupy; Phanidhar Guttikonda; Jay Pollard; Tamara Leuca; Dwight Willaman; Brittany Cursi; Jason Hillman; Matthew Wilding; Charles Snowden; Tishie Woodwell; Mitchell Cholewinski; Robert Lewis; Rhonda Davis; Florence Willaman; Scott Gloer; Bob Joseph; Jude Lepri; Cory Reger; William Gaber; Steven Martin; Shane Mudron; Rick Duffalo; David Spalla; Tyler Krisko; Charles Trax; Alexander Banai; Justin Lieb; Kaitlyn Petro; Andrew Keating; David Williams; Gretchen Mummert; Karen Stupy; Brent Mueller; Stacey Helinski; Paul Gretchen; Mason Linn; Jamie Duran; Shannon Lieb; Amanda Sestrich; Teri Witherspoon; David Hoydick; Kimberly Ballow; Roger Holmes; Brian Buerkle; Kurt Wilson; Jonathon Krimm; James Whitfield; John Paulina; Derek Prins; Joshua Miller; Anthony Stajduhar; Scott Benack; Michele Gregory; Kerrie Ludwick; Kerry Moser; Brian Schwadron; Jonathan Mikulla; Jeffrey Arend; Carol Lieb; Sarah Nelen; Donna Szymanski; Craig Osekowski; Julie Osekowski; Erick Podurciel; Bill Frye; Marshon Fisher; Stephen Steiner; Mark Yezovich; Tony Nuzzo; Lisa Harding; Kimberly Buono; William Buono; Mark Herman; John Borkowski; Kevin Vasil; Rick Marshall; Jon Matrozza; Christian Harding; Richard Cox; Virginia Cox; Daniel Watton; Donald Druciak; Adam Schottenheimer; Loretta Schottenheimer; Samuel Bray; Christopher Nemanic; George Scherrbaum; Jason Maxwell; Joanne Lippert; Danny Serock; Carrie Swartz; Joel Geibel; Michael Salopek; R.J. Hufnagel; Rachel Melendez; Eric Russell; Lori Biedzinski; Bill Keith; Bob Rieg; Susan Cornell; Timothy Sotak; Thinium Natarajan; Nicholas Cooper; Anthony Sciulli; Anthony Kauffman; John Lepley; Douglas Ward; Amber Miller; William Eakin; Craig Naccarato; Carolyn Stokes; Eric Russell; Ralph Orton; Scott Prouty; Roy Shaw; Kathleen McKenna; Sebastian Cruz; Ryan Bissett; Arran Jacob; Michael Croce; Thomas Bair; Louis Shorter; Jason

Carney; Mary Berg; Gary Kislak; Jason Kress; Timothy Joyce; Trevor Hassim; Jason Elkj; Sye Kelly; Gregory Vogt; Bill Garner; Natalie Jackson; Adam Scassa; Bridget Johnson; Julie Cheman-Lochrane; Teresa Dunn; Jamie Gildersleeve; Morgan Berenson; David Lochrane; Glenn Gmitter; Paul Reinert; Steven Powell; Thomas Cheman; Stephanie Cheman; Patricia Lochrane; Melissa Pisarcik; Dennis Walton; Jody Eldridge; Steven Mazza; Jan Konesky; Darren Huber; Matthew Berry; Craig Curdie; Dom Presto; Brandon Pryor; Brandon Wood; George Nicholas; Wesley Slebrich; Ivan Rostosky; Amanda Smoker; Chris Frantz; Nicholas Morocco; John Colaianni; Daniel Gines; Jared Lischner; Charles Solkovy; Nicholas Wolfe; Brittany Miller; Noah Miller; Brittany Mier; Larry Lombardi; Jeff Stouden; Paul Peterson; Rich Miller; PJ McKelvey; Brian Pickering; Harman Metzger; Robert Burchfield; Timothy Chesleigh; Erin Dunbar; Tony Sands; Paul Hess; Shawn Smith; Jessica Ramsey; Ryan Driskill; Olivia Rockwell; Jaime Johnson; John Mascaro; J. Nairn; David Soles; Tamar Eleam; Sean Hummer; Michael Cain; Tim Clark; Philip Dunn; Adam Harkins; Thomas Surrec; Suzanne Solaita; Benjamin Steinmeyer; Alicia Brentzel; Katie Moberg; Ray Orsi; George Brain; Bryan Jenks; Shawn Porter; Bill Pisarcik; TPE Industries; Christopher Pyle; Mary Capo; Ron Cortes; Brian Crawford; Robin Birk; Donald Myers; Richard Cornell; Marijane Beluscak; Jason Yost; Ashley Wissinger; Michael Ellis; John Prefer; Aaron Wysocki; Russell Boehm; Duke Laha; Shawn Reese; Ashley Rockman; James Harrison; Eric Noel; Joe Armbruster; David Plutt; James Borkowski; James Johnson; Jim Wilkins; Joshua Pisarcik; Joseph Gula; Thomas Nicola; Chloe Lawson; Laura Smith; Michael Kenny; Daniel Angotti; David Donaldson; Chase Brooks; Jeremy Pasternak; John Ochap; Robert Kieffer; Kevin Prickett; Cameron Lingler; Brad McKibben; Morgan Pattison; Michael Ferringer; Agustin Cabezas; Trevor Williams; Daner Schratz; Andrew Movitch; Andrew Nicholson; Derek Allman; Jonathan Grebosky; Derek Schade; Darrell Williams; Thomas Mckaveney; Pasquale Gralluzzo; Sam Klingerman; David Farbacher; Chris Hannigan; William Charles; David DeChicchis; Ed Swiatek; Calvin Croftcheck; William McGinnis; Ed Moreno; Jim Gruntz; Tony Lester; Justin Wyberg; Douglas Wright; Melanie West; Christi Saunders; Tom Salopek; Sandra Bellis; Katie Murtagh; Jack Hanson; Alyssa Kunselman; James Wright; Darryl Betin; Henry Foley; Lois Morris; Robert Jacklitch; George Piasecki; Colt Kovatch; John Ratica; John Ash; Kelly Weaver; Susan Burger; Todd Clary; Christian Everly; James MCGinnis; Christopher Cornman; Craig Golden; Dottie Kotansky; Michael Patton; Robert Johnson; Ken Decker; Kim Miller; Michael Lapsansky; Timothy Dunigan; Bennett Sallemi; Bernie Hall; James Watt; Derick Gee; Maury Burgwin; Mary Fowkes; Jane Croftcheck; Richard Benson; Brad Greb; James Blatnick; Vonie Long; Dave Gardner; George Walsh; Matt Brouse; JoJo Burgess; Eric Gowallis; Kirti Trivedi; Joseph Stubenbort; Bret Ewing; Steven Atwood; Adam Ottaviano; Terrance Stieff; Coleen Bruner; Corey Slater; Tom Maise; Zackery Callender; Michael Rothbauer; Pat Butler; Patrick Martin; William Roper; Jessica Helfmann; Michael Bibel; Josh Helfmann; Michael Basile; Gary Picketts; Louise Grice; Sean Suomela; Yvonne Delle Donne; David Peterson; Dan McAndrew; Lucas Park; Tina Abel; Shelly Bernazzoli; Patrick Saltzman; Don Jackson; Michael Pomaibo; Mark Grejda; Steve Wood; Candi Sellman; Devin DeRienzo; Erik Berggren; Nancy Alfer; Joshua Boyle; Gregory Fleming; Paul Seaman; Joseph Rising; Mark Scaramastro; Michael Rendina; Timothy Fraser; Heather Lucy; Randal Rava; Mark Kendall; George Jenkins; David Morgan; Heather Cope; Thomas Lloyd; Tyler Yanko; Lee Manges; Stephen Legradi; Gregory D. Blöse; Gregory A. Bernarding (Iron Workers Local Union No. 3); David N. Taylor, President & CEO, Pennsylvania Manufacturers' Association; Matt Smith (Greater Pittsburgh Chamber of Commerce); Donna Little (Rainbow Kitchen Community Services); Jeff Nobers (Builders Guild of Western PA); Cameron Rupert (OPCMIA Local Union No. 526); Kevin

P. Criswell (SprinklerFitters U.A. Local 542); Gene Barr (PA Chamber of Business and Industry); John J. Hughes; Chris Masciantonio (Pennsylvania Steel Alliance/Government Affairs U.S. Steel); Bobby “Mac” McAuliffe (Pennsylvania Steel Alliance Labor, United Steelworkers); Rachel Gleason (Pennsylvania Coal Alliance); Tammy Firda (Lincoln Borough Council); Brett Tunno; Christopher W. Hardin; Eric Williams; Michael Leon; Nicole Benoit; Parker Adams; Sarah Strano; Brian Lasko; Greg Snyder

[851]

Handwritten Comments

70. Resident Letters

John & Marlene Ruhl; Elaine Chalfant; Antoinette Cain; Amber Moser; Paula Fernis; Lesa & Andrew Coffey; Nancy Berletic; Lindsey Rohm; Rick DeMartinis; The Meucci Family; Vivian Goslicky; Barbara Zehnder; Abigail Docchi; Julia, Gina, Marcy Lynn & Vince Morocco; Brian Heller; Maggie Graff; Jeana Caruso; Rene Lynn; Jim & Lori Bost; Lynn & Emma Stevens; Katarina Martinez; Suzanne & Bob Chisler; Shawn King; Lauryn Sacha; Auler & Amber Barron; Yael Silk; Thomas Denton; Yuan Li; Thomas Buay; Ashley Nemito; Becky Flood

Oral Comments

71. Mayor Rich Lattanzi (On behalf of the City of Clairton)
72. Myron Arnowitz (See also, Commenters 45 and 61), Clean Water Action
73. Kelly Nelson
74. Martin Parness
75. Zachary Barber (See also, Commenter 7), PennEnvironment
76. Sarah Starman
77. Don Furko (President of USW Local 1557)
78. Melanie Meade
79. Kelsey Krepps, Representing PennFuture (See also, Commenter 44)
80. Benjamin John Chiszar
81. Brenda Lynn Smith
82. John Baillie (on behalf of Group Against Smog and Pollution)
83. Gloria M. Ford
84. Nickole Nesby (Mayor of Duquesne)
85. Jeff Nobers (see also, Commenter 68)
86. Kurt Barshick (manager for U.S. Steel Mon Valley Works)
87. Bob Breisinger
88. Denise Johnson-Clemmons (Councilwoman 4th Ward, City of Clairton)
89. Fred Kraybill
90. Forest Vic Townes (see also Commenter 68)
91. Mark Dixon
92. Michelle Naccarati-Chapkis, Executive Director of Women for Healthy Environment
93. Dr. Deborah Gentile (See also, Commenter 44)
94. Allegheny County Councilwoman Anita Prizio
95. Cheryl Hurt

96. Scott Pisula
97. Bob Dobransky
98. Jeff Brysh
99. Michael Rhoads
100. James Borkowski (See also, Commenter 68)
101. Aristotle Aivaliotis
102. Dilla Mastrangelo (See also, Commenter 67)
103. James Lloyd
104. April Clisura
105. Maury Burgwin (on behalf of Mon-Yough Chamber of Commerce) (See also, Commenter 68)
106. Scott Cameron
107. David Bertenthal
108. Matthew Mehalik (on behalf of Breathe Collaborative) (See also, Commenter 44)
109. Terri Supowitz
110. Ryan Johnson-Evers (See also, Commenter 33)
111. Steve Mazza (See also, Commenter 68)
112. Carl Sergeon
113. Tyler Cannon
114. Mel Packer
115. Malcolm Jarrett
116. Cindy Meckel
117. David Meckel
118. City of Clairton Councilman Richard L. Ford, III
119. Jay Walker (Community Organizer with Clean Air Council) (See also, Commenter 52)
120. Jackie Wade
121. Art Thomas