



For Immediate Release

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Environmental Groups Identify Deficiencies in ACHD-USS Trust Agreement and Request 30-Day Public Review

Pittsburgh, Pa. – Several Breathe Project-participating environmental groups in Southwestern Pennsylvania have reviewed the settlement agreement documents issued Monday by Allegheny County Health Department and have concluded that the agreement has multiple inadequacies. Based on this, environmental groups are calling for a 30-day public review of the ACHD-USS Trust Agreement.

The trust agreement never allowed for a public comment period. Released Monday, the terms are only being reviewed by the public for the first time. Breathe Project calls on the Allegheny County Health Department (ACHD) to allow public comment on the terms of the trust agreement for a 30-day review period due to multiple inadequacies identified in the agreement.

“This is a deceptive Settlement Agreement,” said Melanie Meade, life-long resident of Clairton. “Clairton is still Cancer Valley and we still have an epidemic of children’s asthma. This agreement does nothing to clean up the air and gives more control to the polluters and politicians than offer relief to a community caught in a pollution fog.”

The agreement also serves as a pay to pollute arrangement for which U.S. Steel, which regularly violates air quality regulations, puts money in a community fund after releasing significant levels of pollution beyond what is permitted.

The money is not being distributed to individuals; however, for reference’s sake, the amount of money being placed in the fund is \$2,459,253 across 18,602 people in the nearby communities. This equates to \$132.20 per person, which is less than 1.5 months of a Port Authority of Allegheny County bus pass per person.

The agreement does not prioritize the people who have been harmed the most: Clairton residents. Clairton is closest in proximity to the plant and has the highest population. Yet, the agreement provides fewer resources per person than other more distant and less populated communities.

The method the Trust Distribution Board (TDB) uses to specify community allocation is also not fairly given to impacted residents. The allocation is determined by the average population, land area and a fudge factor of 20% for each community instead of by population alone or based on prevailing wind direction.

The allocation calculation greatly penalizes communities with larger populations. Clairton's allocation is 10% below what it would be if the allocation were based on population alone. Lincoln is 16% above what it would otherwise be if based on population alone.

“Residents of Clairton clearly bear a disproportionate burden of health effects that are directly attributable to the air pollution coming from the Coke Works,” said Dr. Deborah Gentile of Community Partners for Asthma Care. “The amount of this settlement is miniscule and most likely insufficient to lead to meaningful changes to the health of these residents.”

The agreement is weak from the perspective of public health and air quality requirements and has no provisions/requirements for public health or air quality expertise on the TDB or the Community Advisory Panel (CAP). Environmental or public health expertise should be required for assessing projects that have environmental or public health benefits. The projects that the trust will fund do not have to be air quality related (as long as the environmental and public health benefits can be recognized by the non-expert group of TDB members).

Community participation is very limited. Only one person per community will serve on the Trust Distribution Board.

The CAP lacks transparency in the way it operates. All meetings for the CAP are specified as private meetings. This shields decision-making from real-time public accountability. Also, no provisions are specified for how each community member selects its one member, which provides the conditions for potentially limiting public participation.

U.S. Steel retains too much influence over the CAP despite the industry's unlawful polluting activities that generated the fines in the first place – U.S. Steel gets a decision-making seat on the CAP. The terms of the settlement agreement do not impose an obligation on U.S. Steel to accept the suggestions of the CAP.

“Our groups perceive significant deficiencies with this settlement agreement,” said Matthew Mehalik, Ph.D, Executive Director of the Breathe Project. “We believe these issues should be corrected publicly before any further action is taken to proceed with administering this trust.”

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