

## Your Summer Report

# PennEnvironment Clean Air Act lawsuit delivers record-setting results

After nearly five years of legal wrangling, PennEnvironment and partners at the Clean Air Council and the National Environmental Law Center have settled our federal Clean Air Act lawsuit against three U.S. Steel Corporation facilities in Pittsburgh: the Clairton Coke Works, and the Edgar Thomson and Irvin steel mills.

The settlement is historic, requiring U.S. Steel to pay a \$5 million penalty. This is far and away the largest Clean Air Act citizen suit penalty in Pennsylvania history and one of the nation's largest penalties ever in the 50-year history of the federal Clean Air Act.

Ninety percent of this penalty will be directed for use exclusively to benefit public health programs and air quality improvement projects in the communities affected by U.S. Steel's pollution.

"Clean air is a right, not a privilege, for all Pittsburghers," said PennEnvironment Executive Director David Masur. "This historic announcement should send a clear message that illegal releases of toxic air pollution will not be ignored or tolerated."

### Clearing the air for the future

The settlement also requires nearly \$37 million worth of pollution control and plant upgrades to prevent future breakdowns of essential pollution control systems at these facilities, and requires U.S. Steel to pay automatic penalties for any future violation that could reach up to \$112,500 per day. To further reduce toxic emissions, U.S. Steel must permanently close approximately 60 pollution-spewing coke ovens used to process coal used in steel-making.



*PennEnvironment's David Masur speaks at a press conference to announce the results of the settlement against U.S. Steel, one of the nation's largest penalties ever in the 50-year history of the federal Clean Air Act.*

U.S. Steel must also accept more stringent limits on the amount of hydrogen sulfide their facility can release.

PennEnvironment's case began five years ago, when residents of Clairton, Pennsylvania, woke up on Christmas Eve 2018 to a sooty haze and a strong sulfurous stench in the air after U.S. Steel's Clairton Coke Works experienced a catastrophic fire in the building that houses the equipment that is necessary to remove dangerous pollutants at the facility.

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Thanks  
for making it  
all possible

## Rooftop solar is slowly on the rise in Pennsylvania

Small-scale solar in Pennsylvania produced 2.3 times more energy in 2022 than it did five years prior, according to a report by PennEnvironment Research & Policy Center.

Yet, even with this growth, Pennsylvania ranks in the middle of the pack compared to other states, coming in at 15th in growth of rooftop solar over the last decade.

Staff



Rep. Chrissy Houlahan (second from left) joins PennEnvironment's Flora Cardoni (center) for a tour of the solar panels at Reformation Evangelical Lutheran Church in Exeter Township.

In the last five years, Pennsylvania's rooftop solar grew 207%, yet small-scale solar only generates enough electricity to power about 1.3% of the state's homes.

To raise awareness of this issue and solar funding opportunities through the Inflation Reduction Act, PennEnvironment has been leading tours of local rooftop solar installations for Pennsylvania members of Congress.

"Every sunny roof without solar panels is a wasted opportunity," said Ellie Kerns, climate and clean energy associate with PennEnvironment Research & Policy Center. "With federal tax credits from the Inflation Reduction Act in place to boost solar adoption, now is the time for Pennsylvania to go big on solar."

## New EPA standards to reduce soot pollution will save lives

Earlier this year, the U.S. Environmental Protection Agency (EPA) finalized new protections to reduce harmful soot pollution in our air. These new safeguards are projected to reduce soot pollution by 25% to help protect public health and save lives.

Soot, also known as fine particulate matter or particle pollution, is a dangerous air pollutant that primarily comes from burning fossil fuels like oil, gas and coal. Millions of Pennsylvanians live in parts of the state that frequently suffer elevated levels of soot pollution.

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During the EPA's public comment period on the proposal, PennEnvironment collected nearly 10,000 comments from concerned Pennsylvanians like you in support of strong action to rein in this dangerous pollution.

"This policy adds to the Biden administration's extensive legacy of implementing strong science-based solutions to protect public health and shows that breathing clean and healthy air is a right and not a privilege," said Zach Barber, clean air advocate with PennEnvironment Research & Policy Center.

## Effort to protect endangered Atlantic sturgeon is under attack

On the heels of the EPA's announcement proposing new standards to help restore the Delaware River and protect the endangered Atlantic sturgeon, polluters ramped up their attacks on the proposal.

More than 15 billion gallons of untreated sewage and stormwater runoff are dumped into the Delaware and Schuylkill rivers annually, threatening the Atlantic sturgeon and other native fish.

Scientists estimate that there are only 250 Atlantic sturgeon left in the lower Delaware River, partially due to the high pollution levels found in the river.

To tackle this threat, the EPA proposed new protections that would require polluters to reduce their harmful emissions to protect the Atlantic sturgeon and other species in the Delaware River. Yet some of the region's largest polluters, including the Philadelphia Water Department, have launched an all-out attack to defeat it.

Thanks to your support, PennEnvironment helped recruit more than 1,000 local residents to support the EPA's proposal, and we'll continue to work to get these much-needed protections for the Atlantic sturgeon over the finish line.



## Toward a greener future

Support our work to build a cleaner, greener, healthier future by including a gift to PennEnvironment or PennEnvironment Research & Policy Center in your will, trust or retirement accounts.

For more information call 1-800-841-7299 or send an email to: [PlannedGiving@PennEnvironment.org](mailto:PlannedGiving@PennEnvironment.org)

Get more updates on our work online at <https://pennenvironment.org>.



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For the next 102 days, U.S. Steel continued to operate the Clairton Coke Works, generating more untreated gasses and illegally burning the oven gas used to refine coal through open-air flares at the two steel mills.

Every three days, U.S. Steel spewed out roughly a typical month's worth of sulfur dioxide pollution, along with hydrogen sulfide and harmful small particles. Residents reported splitting headaches, uncontrollable asthma attacks and difficulty breathing.

The air pollution was so bad that officials at Allegheny County Health Department told local residents living downwind from the facility not to leave their homes.

### The case against U.S. Steel

To rein in these illegal discharges, PennEnvironment and Clean Air Council filed our Clean Air Act lawsuit in April 2019 to hold U.S. Steel accountable for more than 12,000 violations of its air pollution permits.

In the summer of 2019, the Allegheny County Health Department joined our suit as a co-plaintiff, adding additional heft and legal expertise to our case.

And on Jan. 20, 2024, PennEnvironment and the other parties in the case reached this historic settlement after five years of legal wrangling. The settlement was covered by hundreds of news outlets across Pennsylvania and the nation.

Our settlement of this case now surpasses PennEnvironment's 2017 lawsuit settlement against ArcelorMittal's Monessen Coke Plant for the largest citizen suit Clean Air Act penalty in Pennsylvania history, on top of PennEnvironment's two record-breaking Clean Water Act penalties against illegal pollution. And it's all thanks to supporters like you.

David Meckel, Glassport, Penn., resident, speaks at the press conference announcing the lawsuit settlement.



Garrick Schmitt

## Featured staff



Garen Meserian

David Masur  
Executive Director

As executive director, David spearheads the issue advocacy, civic engagement campaigns and long-term organizational building for PennEnvironment. David has served on the environmental transition teams for Govs. Josh Shapiro and Tom Wolf and Philadelphia Mayor Jim Kenney, and he was recently recognized by City & State in Pennsylvania's "Government Relations Power 100." Under David's leadership, PennEnvironment has won the two largest citizen suit penalties in Pennsylvania history against illegal polluters under the federal Clean Water Act.



PennEnvironment and The Public Interest Network are celebrating 50 years of action for a change.

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# PennEnvironment

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## Your 2024 Summer Report

### Our mission:

We all want clean air, clean water and open spaces. But it takes independent research and tough-minded advocacy to win concrete results for our environment, especially when powerful interests stand in the way of environmental progress.

That's the idea behind PennEnvironment. We focus exclusively on protecting air, water and open spaces. We speak out and take action at the local, state and national levels to improve the quality of our environment and our lives.

## New study: Plastic bag bans are effective at reducing litter and waste

A new PennEnvironment Research & Policy Center study estimates that bans on single-use plastic bags can eliminate almost 300 plastic bags per person, per year. The report, titled "Plastic Bag Bans Work," shows that bans across the country have reduced plastic bag litter by one-third or more when implemented, and encouraged the use of more sustainable options.

The report analyzed data from across the country and found that bans in just five

locations with a combined population of more than 12 million people have cut single-use plastic bag consumption by about 6 billion bags per year—or enough to circle the Earth 42 times.

One local example of bag bans in action: Roughly five months after Pittsburgh's ban on single-use plastic bags went into effect, a survey of dozens of local retail businesses conducted by the PennEnvironment Research & Policy Center found that local retailers have largely eliminated the once-ubiquitous plastic bag.

"The bottom line is that plastic bag bans work," said Faran Savitz, zero waste advocate with PennEnvironment Research & Policy Center. "Millions of Pennsylvanians have realized that it's easy to live without plastic bags. For our children to inherit a less polluted Earth, that's exactly what we need."

*PennEnvironment's Faran Savitz (left) is joined by Darren Spielman of the Pennsylvania Resources Council at a press conference about local plastic bag bans in Philadelphia.*



Staff