

US Steel among worst polluters

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The U.S. Steel Fairless Works plant in Falls is among the state's top 10 water polluters, according to a new analysis by the PennEnvironment, a Philadelphia-based environmental nonprofit.

The nonprofit analyzed Environmental Protection Agency data from January 2016 to September 2017 and tallied the number of times industrial facilities and other entities violated pollution limits under the federal Clean Water Act, the nation's primary water protection law. The group found the U.S. Steel facility, located

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in the Keystone Industrial Port Complex along the Delaware River, exceeded its pollution permits 20 times in the 21-month period.

That figure placed U.S. Steel ninth on PennEnvironment's list of the state's top 10 polluters. Ranked worst was Graterford state prison in Montgomery County, which violated its permits 80 times. PennEnvironment studied facilities across the entire nation and found Pennsylvania's 633 total violations were second only to Texas, which had 938.

"Decades after the Clean Water Act was signed into law, nearly 20,000 miles of rivers and streams in Pennsylvania are still considered unsafe for fishing and swimming," said Stephanie Wein, a clean water advocate for PennEnvironment, in a prepared statement. "Instead of ratcheting pollution down to zero, facilities are still dumping

chemicals and other pollutants into our waters."

This news organization confirmed PennEnvironment's data and found the Fairless Works site violated its permits during every quarterly testing period from 2015 through 2017, according to EPA data. Four of those quarters were marked by the EPA as having seen "significant violations."

The violations were primarily for a water quality test called biochemical oxygen demand, or BOD, which refers to how much oxygen is needed to break down organic materials in wastewater. The more oxygen required, the less oxygen available in the water to support fish and other aquatic life. Fairless Works discharges into the Delaware River.

"There more (high BOD) you have going into a river, the more detrimental it's going to be," Wein said. "With anything that relies on that oxygen, you're going to have lower biodiversity."

In fall 2016, U.S. Steel exceeded one BOD limit by 1,706 percent, EPA data show. It was one of nine times the facility exceeded

its limits by at least 100 percent during the three-year time period.

While the company's Fairless Works plant operates at a fraction of the scale it did in the 20th century, the company still maintains a steel finishing operation at the site. In emailed responses to questions, U.S. Steel and the Pennsylvania Department of Environmental Protection both said the company operates a treatment plant that processes the wastewater of not only U.S. Steel, but other facilities in the port complex.

"The discharges primarily relate to the sewage treatment plant at the industrial park," said U.S. Steel spokeswoman Meghan Cox. "This plant treats sanitary and approved industrial wastewater from U.S. Steel and other businesses."

Cox said her company views environmental stewardship as a "core value," and continuously seeks to improve its environmental performance. She said the Fairless Works plant samples wastewater using a third party laboratory, audits

wastewater operations of other businesses and works closely with the DEP on this issue.

Virginia Cain, spokeswoman for the DEP's southeast regional office, said the agency is "aware that U.S. Steel is continuing to work with its industrial users to improve the quality of discharge U.S. Steel receives."

She added that the company entered the DEP's "Operator Outreach Program" in June 2017 in an effort to achieve compliance, and that the plant has shown improvement over the past several months. According to the DEP's website, the program offers consultations with specialized water operators.

"Notably, DEP is not seeing an impact to the Delaware River at this time," Cain asserted.

However, records show the DEP has issued no fines or penalties to U.S. Steel for its regular violations of water standards. Asked why, Cain wrote that generally, the "DEP's first priority is to bring the facility into compliance and then seek penalties for past violations."

"In this case, DEP is engaged in ongoing efforts

with U.S. Steel to achieve compliance," Cain added. "DEP reserves the right to seek fines and penalties at a later time."

PennEnvironment's Wein said her organization's analysis found a lack of fines issued to polluters nationally. She cited statistics showing penalties for polluters have dropped precipitously nationwide during the early stages of the Trump administration, compared to those of past presidents Barack Obama and George W. Bush.

In Pennsylvania, Wein said "it's hard to say" why fines aren't issued to polluters such as U.S. Steel. However, she pointed out the DEP's funding levels have precipitously declined over the past few decades. State data show DEP's 2017 budget of about \$148 million is \$17.9 million less than what it was in 1995, and 40 percent less than in 2003, when the budget was \$246 million.

"If we want them to do their jobs and actually make sure that these facilities aren't exceeding their permits, they need to have the resources to do that," Wein said. "So that there can be more environmental cops on the beat."