

ILLINOIS POLLUTION CONTROL BOARD

September 3, 2026

UNITED STATES STEEL	)	
CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 27-03
	)	(Permit Appeal - Water, NPDES)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by J.A. Van Wie):

On July 24, 2026, United States Steel Corporation (U.S. Steel) timely filed a joint request to extend the 35-day period within which to appeal a June 24, 2026 determination of the Illinois Environmental Protection Agency (Agency or IEPA). *See* 415 ILCS 5/40(a)(1) (2024); 35 Ill. Adm. Code 101.300(b), 105.206(c), 105.208(a), (c). On July 29, 2026, U.S. Steel filed an amended joint request for extension of time. The amended request added e-mail correspondence from the Agency indicating it consented to a 45-day extension of the appeal period to September 14, 2026. In the determination, IEPA issued a final National Pollutant Discharge Elimination System (NPDES) Permit for U.S. Steel’s Granite City Works facility located at 20th and State Street, Granite City, Madison County. U.S. Steel reported receiving the revised permit on or about June 24, 2026.

On August 6, 2026, the Board extended the appeal period as requested for 45 days to September 14, 2026. *See* 415 ILCS 5/40(a)(1) (2024); 35 Ill. Adm. Code 105.208(a).

On August 31, 2026, U.S. Steel filed a joint request for an additional 45-day extension of the appeal period (Req.). U.S. Steel reports that the parties have met to discuss the issues involved in this permit. Req. at 2. IEPA agrees that the appeal period should be extended for an additional 45 days. *Id.*; *see* Attachment 1 (IEPA email). U.S. Steel states that 45 additional days extend the appeal deadline to the full 90-day extension allowed by statute. Req. at 2.

The Board recognizes that “[t]he additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.” Req. at 2. However, “the 35-day period for petitioning for a hearing may be extended for an additional period of time not to exceed 90 days by written notice provided to the Board from the applicant and the Agency *within the initial appeal period.*” 415 ILCS 5/40(a)(1) (2024) (emphasis added). The Board’s procedural rules cite this provision and add that “[t]he applicant and the Agency must jointly file a request for extension with the Board *within 35 days after the date of service of the Agency’s final decision.*” 35 Ill. Adm. Code 105.406. With service on June 24, 2026, the

initial appeal period of 35 days ended on July 29, 2026. During the initial appeal period, the Board extended the filing deadline by a period not exceeding 90 days. However, the Act does not provide the Board authority to extend an appeal deadline once the initial 35-day appeal period has passed. IMTT Illinois, LLC v. IEPA, PCB 20-47 (Feb. 20, 2020).

Under these circumstances, the Board construes U.S. Steel's unopposed request as a timely petition for review of IEPA's determination. The Board directs U.S. Steel to file an amended petition for review, on or before Tuesday, October 27, 2026, which is 90 days after the initial 35-day appeal deadline. Archer Daniels Midland Company v. IEPA, PCB 25-6 (Oct. 17, 2024) (*citing* IMTT Illinois, LLC v. IEPA, PCB 20-47 (Feb. 20, 2020)); *see* 35 Ill. Adm. Code 101.300(a). If U.S. Steel does not file an amended petition on or before that deadline, the Board will dismiss this appeal.

IT IS SO ORDERED.

I, Daniel Pauley, Acting Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 3, 2026, by a vote of 5-0.

A handwritten signature in cursive script that reads "Daniel L. Pauley". The signature is written in dark ink and is positioned above a horizontal line.

Daniel Pauley, Acting Clerk
Illinois Pollution Control Board