

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED STATES STEEL )  
CORPORATION, a Delaware corporation, )  
 )  
Petitioner, )  
 )  
v. ) PCB 10-23  
 ) (CAAPP Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )  
 )  
AMERICAN BOTTOM CONSERVANCY, )  
 )  
Intervenor. )

**NOTICE OF FILING**

TO: Mr. John Therriault Carol Webb, Esq.  
Assistant Clerk of the Board Hearing Officer  
Illinois Pollution Control Board Illinois Pollution Control Board  
100 West Randolph Street 1021 North Grand Avenue East  
Suite 11-500 Post Office Box 19274  
Chicago, Illinois 60601 Springfield, Illinois 62794-9274  
(VIA ELECTRONIC MAIL) (VIA FIRST CLASS MAIL)

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a copy of United States Steel Corporation's **STATUS REPORT AND REQUEST TO POSTPONE STATUS CONFERENCE and NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is hereby served upon you.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,  
Petitioner,

Dated: March 16, 2011

By: /s/ Katherine D. Hodge  
One of Its Attorneys

Katherine D. Hodge  
Monica T. Rios  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, certify that I have served the attached STATUS REPORT AND REQUEST TO POSTPONE STATUS CONFERENCE and NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE upon:

Mr. John Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on March 16, 2011; and upon:

Carol Webb, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274

Maxine I. Lipeles, Esq.  
Washington University School of Law  
One Brookings Drive  
Campus Box 1120  
St. Louis, Missouri 63130-4899

Thomas E. Davis, Esq.  
Chief of Environmental Bureau  
Office of the Illinois Attorney General  
500 South Second Street  
Springfield, Illinois 62706

Julie K. Armitage, Esq.  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois, on March 16, 2011.

/s/Katherine D. Hodge  
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

|                                      |   |                       |
|--------------------------------------|---|-----------------------|
| UNITED STATES STEEL                  | ) |                       |
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|                                      | ) |                       |
| v.                                   | ) | PCB No. 10-23         |
|                                      | ) | (CAAPP Permit Appeal) |
| ILLINOIS ENVIRONMENTAL               | ) |                       |
| PROTECTION AGENCY,                   | ) |                       |
|                                      | ) |                       |
| Respondent.                          | ) |                       |
|                                      | ) |                       |
| AMERICAN BOTTOM CONSERVANCY,         | ) |                       |
|                                      | ) |                       |
| Intervenor.                          | ) |                       |

**STATUS REPORT AND REQUEST  
TO POSTPONE STATUS CONFERENCE**

NOW COMES Petitioner, UNITED STATES STEEL CORPORATION (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, provides this status report to the Hearing Officer and the Illinois Pollution Control Board (“Board”) regarding recent activities in this matter. In addition, Petitioner requests that the status conference set for April 18, 2011 be postponed. Petitioner provides as follows:

1. On October 7, 2009, Petitioner filed a Petition for Review (“Petition”) of the Clean Air Act Permit Program (“CAAPP”) permit (No. 96030056) (“Permit”) issued on September 3, 2009, by the Illinois Environmental Protection Agency (“Illinois EPA”) for Petitioner’s integrated steel mill plant located in Granite City, Illinois.

2. On October 15, 2009, the Board accepted Petitioner’s Petition for hearing. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 10-23 (Ill.Pol.Control.Bd. Oct. 15, 2009). On December 3, 2009, the Board granted American

Bottom Conservancy's ("ABC") Motion to Intervene. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 10-23 (Ill.Pol.Control.Bd. Dec. 3, 2009).

3. Since October 15, 2009, the hearing officer assigned to this matter, Carol Webb, has held periodic status conferences. The next status conference is set for April 18, 2011. Hearing Officer Order, PCB No. 10-23 (Ill.Pol.Control.Bd. Feb. 14, 2011).

4. In addition, on October 1, 2009, ABC filed a Petition to Object to Title V Permit for United States Steel Corporation Granite City Works with the United States Environmental Protection Agency ("USEPA"). On January 31, 2011, USEPA responded to ABC's Petition to Object and issued an Order Granting in Part and Denying in Part Petition for Objection to Permit. *See* 76 Fed. Reg. 12730 (Mar. 8, 2011).

5. In accordance with Subsection 39.5(9)(g) of the Illinois Environmental Protection Act, the Illinois EPA may, upon receipt of an objection from USEPA, revise and resubmit the Permit to USEPA after providing a 10-day comment period. 415 ILCS 5/39.5(9)(g); *see also* 415 ILCS 5/39.5(9) *et seq.* and 40 C.F.R. § 70.7(g)(4), (5)(i) – (ii) and 70.8(d).

6. On March 16, 2011, Illinois EPA commenced a 10-day comment period on a planned revision of the CAAPP Permit. *See* Illinois EPA, Notice of Comment Period Concerning the Planned Issuance of a Revised Clean Air Act Permit Program Permit for U.S. Steel Corporation Granite City Works, available at <http://www.epa.state.il.us/public-notices/2008/us-steel/revised/us-steel-comment-period-notice.pdf> (Mar. 16, 2011).

7. Since Illinois EPA plans to issue a revised CAAPP Permit, there is no need to hold the status conference on April 18, 2011, and Petitioner respectfully requests that the status conference be postponed until at least 30 days after Illinois EPA issues a revised CAAPP Permit.

8. Petitioner hereby commits to file another status report with the Board on or before May 16, 2011.

9. Petitioner is simultaneously filing with this Status Report a limited waiver of the decision deadline until September 15, 2011.

10. Petitioner has conferred with counsel for the Respondent, and he has no objection to Petitioner's request to postpone the status conference.

WHEREFORE, Petitioner, UNITED STATES STEEL CORPORATION, respectfully requests that the Hearing Officer postpone the status conference scheduled for April 18, 2011.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,  
Petitioner,

By: /s/Katherine D. Hodge  
Katherine D. Hodge

Dated: March 16, 2011

Katherine D. Hodge  
Monica T. Rios  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
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USSC:003/Fil/Status Report

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|                                      | ) |                       |
| AMERICAN BOTTOM CONSERVANCY,         | ) |                       |
|                                      | ) |                       |
| Intervenor.                          | ) |                       |

**NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE**

NOW COMES Petitioner, UNITED STATES STEEL CORPORATION (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), hereby agrees to a limited waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding until September 15, 2011. In support of this Notice, Petitioner states as follows:

1. On October 7, 2009, Petitioner filed a Petition for Review (“Petition”) of the Clean Air Act Permit Program (“CAAPP”) permit (No. 96030056) (“Permit”) issued on September 3, 2009, by the Illinois Environmental Protection Agency (“Illinois EPA”) for Petitioner’s integrated steel mill plant located in Granite City, Illinois.

2. On October 15, 2009, the Board accepted Petitioner’s Petition for hearing. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 10-23 (Ill.Pol.Control.Bd. Oct. 15, 2009). On December 3, 2009, the Board granted American

Bottom Conservancy's Motion to Intervene. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 10-23 (Ill.Pol.Control.Bd. Dec. 3, 2009).

3. The current statutory decision deadline for this matter is July 21, 2011.

4. In order to await Illinois EPA's action on a revised CAAPP permit, Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline until September 15, 2011.

WHEREFORE, Petitioner, UNITED STATES STEEL CORPORATION, prays that the Illinois Pollution Control Board accept this limited waiver of the statutory 120-day decision deadline until September 15, 2011 for final action on Petitioner's Petition for Review.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,  
Petitioner,

By: /s/Katherine D. Hodge  
Katherine D. Hodge

Dated: March 16, 2011 .

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USSC:003/Fil/Notice of Waiver10