

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.
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**, a copy of which is hereby served upon you.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,
Petitioner,

Dated: August 21, 2013

By: /s/ Monica T. Rios
Monica T. Rios

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, Monica T. Rios, the undersigned, certify that I have served the attached

STATUS REPORT, upon:

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

via electronic mail on August 21, 2013; 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.
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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 August 21, 2013.

By: /s/ Monica T. Rios
Monica T. Rios

USSC:003/Fil/NOF-COS – Status Report

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED STATES STEEL)	
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)	(CAAPP Permit Appeal)
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STATUS REPORT

NOW COMES Petitioner, UNITED STATES STEEL CORPORATION (“Petitioner” or “U.S. Steel”), by and through its attorneys, HODGE DWYER & DRIVER, and provides this Status Report for review.

1. On October 7, 2009, Petitioner filed an appeal of the Clean Air Act Permit Program (“CAAPP”) permit issued by the Illinois Environmental Protection Agency (“Illinois EPA”) to Petitioner on September 3, 2009 (“Initial CAAPP Permit”). On May 2, 2011, Illinois EPA issued a revised CAAPP permit (“2011 CAAPP Permit”) to Petitioner. On February 2, 2012, the Illinois Pollution Control Board (“Board”) issued an order (“Board Order”) granting Petitioner’s motion for a stay of the appeal of the Initial CAAPP Permit. The Board granted the stay through February 4, 2013, unless the Board terminated the stay sooner. As ordered by the Board, Petitioner filed a status report on August 2, 2012 (“August Status Report”) that provided the status of the United States Environmental Protection Agency’s (“USEPA”) proceeding concerning American

Bottom Conservancy's ("ABC's") petition to object to the 2011 CAAPP Permit issued by the Illinois EPA to Petitioner.

2. Pursuant to the terms of the July 23, 2012 proposed Consent Decree filed in the USEPA proceeding by Lisa P. Jackson, the Administrator of the USEPA, the deadline for USEPA's response to ABC's petition was December 3, 2012. *See* 77 Fed. Reg. 44673 (July 30, 2012). At the time of Petitioner's filing of the August Status Report, USEPA's decision on ABC's petition was still pending. Accordingly, Petitioner's August Status Report included Petitioner's request that the Board maintain the current stay of this Board proceeding until at least February 4, 2013, as directed in the Board Order, as a necessary and appropriate response to the pending USEPA decision.

3. On December 3, 2012, USEPA issued an Order that granted in part and denied in part ABC's petition to object to the 2011 CAAPP Permit. *See* USEPA, Order Granting in Part and Denying in Part Petition for Objection to Permit, Petition Number V-2011-2 (Dec. 3, 2012) ("USEPA Order").

4. Since Illinois EPA's response to USEPA's Order was still pending, on January 28, 2013, Petitioner filed a Status Report and Motion for Extension of Stay, which the Board granted on February 21, 2013. Board Order, PCB No. 10-23 (Ill.Pol.Control.Bd. Feb. 21, 2013). The Board extended the stay of this proceeding until February 4, 2014 or until the Board issued an order terminating the stay and directed Petitioner to file a status report on August 21, 2013.

5. On March 4, 2013, Illinois EPA issued a second Revised CAAPP Permit ("2013 CAAPP Permit") in response to USEPA's Order.

6. On April 8, 2013, Petitioner filed a Petition for Review of the 2013 CAAPP Permit and requested that the contested conditions of the CAAPP Permit be stayed by the Board during the pendency of the review. *See United States Steel Corporation v. Illinois EPA*, PCB No. 13-53 (Ill.Pol.Control.Bd. April 8, 2013). On May 2, the Board granted the stay of the contested conditions of the 2013 CAAPP Permit, as delineated in the Petition for Review.

7. Petitioner currently operates under the terms and conditions of the 2013 CAAPP Permit, except for the stayed contested conditions.

8. The 2013 CAAPP Permit is currently in effect, except for the stayed contested conditions. It appears that any deadlines to appeal or to file petition to object, to the 2013 CAAPP Permit have lapsed. Upon verification that no appeals or petitions to object have been filed and that the deadline for such has past, Petitioner intends to file a request to voluntarily dismiss this proceeding (PCB No. 10-23) prior to the expiration of the Board's current stay in this matter or provide a justification for an extension of the stay.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,
Petitioner,

Dated: August 21, 2013

By: /s/ Monica T. Rios
Monica T. Rios

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