

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 **MOTION FOR VOLUNTARY DISMISSAL**, a copy of which is hereby served upon you.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,
Petitioner,

Dated: March 4, 2014

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

Katherine D. Hodge
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

MOTION FOR VOLUNTARY DISMISSAL, 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 4, 2014; 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.
Robert R. Kuehn
Washington University School of Law
One Brookings Drive
Campus Box 1120
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Amanda Kimmel, Esq.
Office of the Illinois Attorney General
Assistant Attorney General
500 South Second Street
Springfield, Illinois 62706

Sally A. Carter, 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 4, 2014.

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

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AMERICAN BOTTOM CONSERVANCY,)	
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MOTION FOR VOLUNTARY DISMISSAL

NOW COMES Petitioner, UNITED STATES STEEL CORPORATION (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.500, and moves the Illinois Pollution Control Board (“Board”) to dismiss this action. In support of this Motion, 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 (“Initial CAAPP Permit”) issued to Petitioner by the Illinois Environmental Protection Agency (“Illinois EPA”) on September 3, 2009.

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).

3. On February 21, 2013, the Board issued an order granting Petitioner’s motion for a stay of the appeal of the Initial CAAPP Permit. The Board granted the stay through February 4, 2014 and, on February 21, 2014, pursuant to a Hearing Officer Order, the status conference were resumed in this matter. Hearing Officer Order, *United*

States Steel Corporation v. Illinois EPA, PCB No. 10-23 (Ill.Pol.Control.Bd. Feb. 6, 2014).

4. Petitioner and Respondent resolved the issues related to this appeal, and Respondent issued a revised CAAPP Permit (“2013 CAAPP Permit”) on March 4, 2013.

5. The 2013 CAAPP permit is in effect, with exception of the contested conditions stayed by the Board,¹ and Petitioner is complying with the terms and conditions of the 2013 CAAPP permit.

6. Petitioner is not aware that any other appeals or petitions to object related to the 2013 CAAPP Permit have been filed, and Petitioner believes any deadlines for such actions have passed. Thus, Petitioner requests that the Board dismiss this matter.

7. Counsel for Respondent does not object to this Motion.

WHEREFORE, Petitioner, UNITED STATES STEEL CORPORATION, respectfully requests that the Board enter an Order dismissing this action.

Respectfully submitted,

UNITED STATES STEEL CORPORATION,
Petitioner,

Dated: March 4, 2014

By: Katherine D. Hodge
One of Its Attorneys

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

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¹ On April 8, 2013, Petitioner timely filed an appeal of the 2013 CAAPP Permit as well as a Motion for Stay of the Effectiveness of the Contested Condition in the 2013 CAAPP Permit. *United States Steel Corporation v. Illinois EPA*, PCB No. 13-53. The Board granted a stay of the contested conditions of the 2013 CAAPP Permit. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 13-53 (Ill.Pol.Control.Bd. May 2, 2013).