

ILLINOIS POLLUTION CONTROL BOARD
September 8, 2016

UNITED STATES STEEL)	
CORPORATION, a Delaware corporation,)	
)	
Petitioner,)	
)	
v.)	PCB 13-62
)	(CAAPP Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

ORDER OF THE BOARD (by J.A. Burke):

United States Steel Corporation (U.S. Steel) asks the Board to review a construction permit issued by the Illinois Environmental Protection Agency (Agency) on April 1, 2013. The permit authorizes construction of a baghouse to control emissions from furnaces at U.S. Steel's integrated iron and steel mill located in Granite City, Madison County. U.S. Steel informed the Board that it completed construction on the baghouse. In another matter docketed as PCB 13-53, U.S. Steel also seeks review of a Clean Air Act Permit Program permit issued on March 4, 2013. Underlying both permit appeals is a 1996 prevention of significant deterioration (PSD) permit issued to the facility's prior owner. In both appeals, U.S. Steel argues that emission factors originating in the 1996 permit should not be incorporated as emission limits in the 2013 permits.

The Board previously stayed this proceeding to allow negotiations between U.S. Steel and the Agency. Throughout the three years these appeals have been pending, U.S. Steel and the Agency have been attempting to resolve these appeals by resolving issues relating to the 1996 PSD permit. U.S. Steel and the Agency met seven times in 2015 as well as on March 3 and July 7 in 2016. Based on these meetings, U.S. Steel believes it can reach a resolution. U.S. Steel is evaluating bases for the emission factors, including reviewing the permit record and other research. The parties discussed testing specific emission units; however, the facility is temporarily idled.

U.S. Steel seeks to extend the stay to continue negotiations with the Agency. The Agency did not respond to the motion but U.S. Steel states that the Agency does not object. Section 101.514(a) of the Board's procedural rules requires U.S. Steel to detail why a stay is needed and Section 101.514(b) requires a status report. U.S. Steel has explained that it has been meeting with the Agency and evaluating emission factors applied to the facility. U.S. Steel does not specify an end date for the stay but asks for a stay until the Agency has reissued the PSD permit. U.S. Steel also waived the decision deadline to December 31, 2017, as required by Section 101.514(a), suggesting that the parties may not reach resolution until that time.

The Board disfavors stays without an end date. Further, the Board lacks sufficient detail of what steps the parties will take during the stay to resolve this matter. For example, it appears

that additional testing of specific emission units has been delayed due to temporary idling of the facility. It is unclear as to whether idling the facility prevents final resolution of the emission factor issues in the PSD permit. U.S. Steel also provides no information as to what the next steps will be beyond a planned October 2016 meeting with the Agency.

Under these circumstances, and considering that U.S. Steel has not requested a stay of the PCB 13-53 permit appeal, the Board denies U.S. Steel's motion to stay. Rather, the Board instructs the hearing officer to conduct status hearings to keep the Board informed as to the status of negotiations between U.S. Steel and the Agency. At each status hearing, the parties must describe what steps have been taken since the prior status hearing to resolve this matter and what steps will be taken prior to the next status hearing. For example, the next status hearing may include a report on the October 2016 meeting and the next steps to resolve this matter.

IT IS SO ORDERED.

I, John T. Therriault, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on September 8, 2016 by a vote of 4-0.



John T. Therriault, Clerk
Illinois Pollution Control Board