

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

UNITED STATES STEEL	)	
CORPORATION, a Delaware corporation,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 12-54
	)	(Permit Appeal - Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**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
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

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

Respectfully submitted,

UNITED STATES STEEL CORPORATION,  
Petitioner,

Dated: August 9, 2013

By: /s/ Monica T. Rios  
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, Monica T. Rios, 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 August 9, 2013; and upon:

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

Rachel R. Medina, Esq.  
Assistant Attorney General  
Office of the Illinois 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 August 9, 2013.

/s/ Monica T. Rios  
Monica T. Rios

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PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**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 5, 2011, Petitioner filed a Petition for Review (“Petition”) of the Construction Permit issued to Petitioner by the Illinois Environmental Protection Agency (“Illinois EPA”) on August 31, 2011, for an emission control system for Petitioner’s basic oxygen process (“BOP”) furnaces at Petitioner’s integrated steel mill plant located in Granite City, Illinois.

2. On October 20, 2011, the Board accepted Petitioner’s Petition for hearing. Board Order, *United States Steel Corporation v. Illinois EPA*, PCB No. 12-54 (Ill.Pol.Control.Bd. Oct. 20, 2011).

3. Petitioner and Respondent resolved the issues related to this appeal, and Respondent issued a revised Construction Permit (Subject to Integrated Processing) on April 1, 2013 (“2013 Construction Permit”).

4. The 2013 Construction Permit is in effect, with the exception of the contested conditions stayed by the Board,<sup>1</sup> and Petitioner is complying with the terms and conditions of the 2013 Construction Permit.

5. Because Petitioner and Respondent have resolved the issues that were the subject of this appeal, Petitioner requests that the Board dismiss this matter.

6. 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: August 9, 2013

By: /s/ Monica T. Rios  
One of Its Attorneys

Katherine D. Hodge  
Monica T. Rios  
HODGE DWYER & DRIVER  
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<sup>1</sup> On May 6, 2013, Petitioner timely filed an appeal of the 2013 Construction Permit, but only contested conditions in the Title V Section of the integrated permit. *United States Steel Corporation v. Illinois EPA*, PCB 13-62. The Board has granted a stay of the contested conditions. Board Order, PCB No. 13-62 (Ill.Pol.Control.Bd. June 6, 2013). The appeal of certain Title V conditions in the 2013 Construction Permit does not affect Petitioner’s ability to construct or impact the dismissal of the PCB No. 12-54 proceeding.