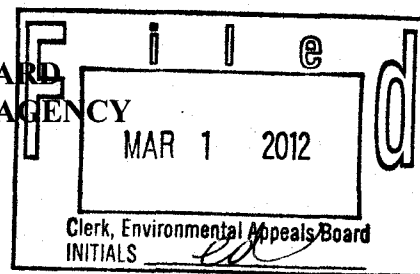


BEFORE THE ENVIRONMENTAL APPEALS BOARD  
UNITED STATES ENVIRONMENTAL PROTECTION AGENCY  
WASHINGTON, D.C.



In re: )  
)  
)  
ArcelorMittal Cleveland Inc. ) NPDES Appeal No. 11-01  
)  
)  
NPDES Permit No. 3ID00003\*OD (OH0000957) )  
)

**ORDER DIRECTING SUPPLEMENTAL BRIEFING**

At oral argument before the Environmental Appeals Board (“Board”) in the above-captioned case on February 28, 2012, the Board raised the issue of whether the “Anti-backsliding” provisions of section 402(o) of the Clean Water Act and its implementing regulations have any applicability or relevance to the issues before the Board in this matter. Counsel indicated that they would welcome the opportunity to submit supplemental briefs on this issue.

Accordingly, the Board directs the parties to submit supplemental briefs with the Board, by March 23, 2012, addressing the relevance and applicability of section 402(o) and the State of Ohio’s anti-backsliding and antidegradation statutes or regulations to Petitioner’s request to raise (i.e., make less stringent) the currently applicable effluent limits for ammonia-nitrogen discharges in the National Pollutant Discharge Elimination System permit authorizing discharges into the Cuyahoga River from Petitioner’s Cleveland, Ohio steel mill.

So ordered.

Dated: 3/1/12

**ENVIRONMENTAL APPEALS BOARD**

By: Catherine R. McCabe  
Catherine R. McCabe  
Environmental Appeals Judge

## CERTIFICATE OF SERVICE

I hereby certify that copies of the foregoing **Order Directing Supplemental Briefing** in the matter of *ArcelorMittal Cleveland Inc.*, NPDES Appeal No. 11-01, were sent to the following persons in the manner indicated:

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Annette Duncan  
Secretary