



UNITED STATES ENVIRONMENTAL PROTECTION AGENCY
REGION 5
77 WEST JACKSON BOULEVARD
CHICAGO, IL 60604-3590

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ENVIR. APPEALS BOARD

REPLY TO THE ATTENTION OF:

June 6, 2012

By UPS Next Day Air

U.S. Environmental Protection Agency
Clerk of the Board, Environmental Appeals Board
Ronald Reagan Building, EPA Mail Room
1300 Pennsylvania Avenue, N.W.
Washington, D.C. 20004

Re: In Re ArcelorMittal Cleveland Inc.
NPDES Permit Appeal No. 11-01
NPDES Permit OH0000957

Dear Ms. Durr:

In accordance with the request in your email of May 24, 2012, I've enclosed a CD with copies of all exhibits in the Administrative Record for Region 5's decision regarding ArcelorMittal Cleveland Inc.'s request for modification under Clean Water Act Section 301(g).

Sincerely,

A handwritten signature in black ink that reads "Terence Branigan" followed by a horizontal line.

Terence Branigan
Associate Regional Counsel
U.S. Environmental Protection Agency/Region 5
77 W. Jackson Boulevard
Chicago, IL 60604
Tel: (312) 353-4737
Email: branigan.terry@epa.gov

CERTIFICATE OF SERVICE

I certify that on this 6th day of June, 2012, I sent copies of a CD with copies of all exhibits in the Administrative Record for Request for Modification Under Clean Water Act Section 301(g), ArcelorMittal Cleveland Inc., NPDES Permit OH0000957 (3ID00003*OD), June 2011, in PDF format, in the following manner to the addressees listed below:

UPS Next Day Air

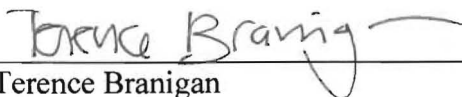
Environmental Appeals Board

UPS Next Day Air

Mr. Dale E. Papajcik
Ms. Lianne Mantione
Ms. Kendra S. Sherman
Squire, Sanders & Dempsey LLP
4900 Key Tower
127 Public Square
Cleveland, OH 44144

Dated:

6/6/12



Terence Branigan
Associate Regional Counsel
U.S. Environmental Protection Agency/Region 5

ADMINISTRATIVE RECORD INDEX
FOR
REQUEST FOR MODIFICATION UNDER
CLEAN WATER ACT SECTION 301(G)
ARCELORMITTAL CLEVELAND INC, REQUESTER
NPDES PERMIT OH0000957 (3ID00003*OD)
JUNE 2011

**BEFORE THE ENVIRONMENTAL APPEALS BOARD
U.S. ENVIRONMENTAL PROTECTION AGENCY
NPDES Appeal No. 11-01**

**ADMINISTRATIVE RECORD INDEX
FOR
REQUEST FOR MODIFICATION UNDER CLEAN WATER ACT SECTION 301(G)
ARCELORMITTAL CLEVELAND INC., REQUESTER
NPDES PERMIT OH0000957 (3ID00003*OD)
JUNE 2011**

INDEX NUMBER	DATE	AUTHOR	RECIPIENT	TITLE/DESCRIPTION
AR-1	09/21/1978	D.H. Clark Republic Steel	Regional Administrator, EPA Region 5	Correspondence stating Republic's intent to file for variances under CWA Section 301(c) and 301(g)
AR-2	02/17/1983	William L. West, Republic Steel	Regional Administrator, EPA Region 5	Application pursuant to Section 301(g) for modification of the BAT requirements applicable to phenol and ammonia
AR-3	03/31/1983	W.L. West Republic Steel	Regional Administrator, EPA Region 5	Supplemental information in support of application pursuant to Section 301(g) for modification of BAT requirements for ammonia, with attached application
AR-4	03/26/1985	W.B. Bredbeck, LTV Steel Co.	Gary A. Amendola, EPA	Correspondence regarding Section 301(g) variance reports
AR-5	12/31/1990	Ohio EPA		Director's Final Findings and Orders NPDES Permit No. 3ID00003*JD (OH0000957)
AR-6	03/06/2000	Eric Nygaard Ohio EPA	Lisa Morris Ohio EPA	Memorandum with attached November 1999 briefing and review materials
AR-7	04/02/2000	Paul G. Novak, Ohio EPA	Rebecca Harvey, EPA	Correspondence regarding request for alternative limits under Section 301(g)
AR-8	03/14/2001	David A. Ullrich, EPA	Lisa Morris, Ohio EPA	Notice of decision to grant variances for ammonia-N pursuant to CWA Section 301(g), with attachments
AR-9	09/ 27/2001	Ohio EPA		NPDES Permit, OH0000957 (3ID00003*LD)

AR-10	03/19/2004	Ohio EPA		Modification of NPDES permit, OH0000957 (3ID00003*LD)
AR-11	01/18/2007	Rich Zavoda ISG Cleveland	Eric Nygaard Ohio EPA	Email concerning ISG Cleveland Inc.'s request to continue Section 301(g) variance for blast furnace outfall 604
AR-12	04/06/2007	Eric Nygaard, Ohio EPA	Peter Swenson and Sreedevi Yedavalli, EPA	Early warning regarding upcoming Section 301(g) variance reviews [redacted]
AR-13	05/24/2007	George Elmaraghy Ohio EPA	Peter Swenson EPA	Correspondence recommending that EPA approve the continuation of Section 301(g) variance for ammonia-nitrogen for ISG Cleveland Works
AR-14	02/05/2008	Ohio EPA		Fact Sheet in support of re-issued NPDES permit, OH0000957 (3ID00003*OD)
AR-15	06/30/2008	Ohio EPA		Re-issued NPDES permit, OH0000957 (3ID00003*OD)
AR-16	04/13/2010	R.M. Zavoda ArcelorMittal Cleveland Inc.	Erm Gomes Ohio EPA	Correspondence submitting NPDES permit modification request, Section 301(g) variance for ammonia-N
AR-17	04/13/2010	Amendola Engineering, Inc.		NPDES permit modification request Section 301(g) variance for ammonia-N outfall 604
AR-18	05/03/10	Eric Nygaard Ohio EPA	Sreedevi Yedavalli, EPA	Email transmitting ArcelorMittal Cleveland NPDES permit modification request prior to formal transmission
AR-19	05/21/2010	Ohio EPA		Fact Sheet: ArcelorMittal Cleveland, Inc.: Water Quality Standards and Anti-degradation
AR-20	05/26/2010	Ohio EPA		Public Notice for anti-degradation project
AR-21	06/14/2010	George Elmaraghy, Ohio EPA	Kevin Pierard, EPA	Correspondence transmitting permit modification request from ArcelorMittal Cleveland Inc.
AR-22	07/02/2010	Eric Nygaard, OEPA	Sreedevi Yedavalli, EPA	Email concerning ArcelorMittal production
AR-23	08/02/2010	Eric Nygaard OEPA	Sreedevi Yedavalli, EPA	ArcelorMittal limits history and anti-degradation information
AR-24	03/16/2011	ArcelorMittal Cleveland		Agenda for meeting
AR-25	03/16/2011	Amendola Engineering, Inc.		Handout summarizing the 301(g) modification request, for 03/16/2011 meeting

AR-26	Undated			Handout with graph of C5&6 outfall 604 monthly average ammonia (kg/day), for 03/16/2011 meeting
AR-27	Undated			Handout, with graph of C5/C6 outfall 005, ammonia (ppm), for 03/16/2011 meeting
AR-28	03/26/2010	Amendola Engineering Inc.	ArcelorMittal Cleveland, Inc.	Handout, Figure 4, Existing Blast Furnace Recycle System, Preferred Design Alternative, for 03/16/2011 meeting
AR-29	Undated			Handout, How we make steel, for 03/16/2011 meeting
AR-30	Undated			Handout, Ironmaking Treatment Models Summary, for 03/16/2011 meeting
EPA Policies Considered by Region 5				
AR-31	Undated	EPA		Technical Guidance Manual (Draft) for the Regulations Promulgated Pursuant to Section 301(g) of the Clean Water Act of 1977 40 CFR Part 125 (Subpart F)
AR-32	10/25/1982	Marth G. Protho, EPA	Regional Water Management Division directors	Review of Draft 301(g) Regulation, Preamble, Application Form and Technical Guidance Manual
AR-33	12/29/1982	Bruce R. Barret, EPA	Regional Administrators, State NPDES Directors, Director NEIC	Application Requirements for Modifications Under Sections 301(c) and 301(g) of the Clean Water Act
AR-34	05/17/1983	Martha G. Protho, EPA	Regional Water Management Division Directors	Section 301(g) variance requests
AR-35	08/07/1984	EPA		Proposed rule for granting water quality variances under section 301(g) of the Clean Water Act (49 Fed. Reg. 31462)(never finalized)
AR-36	08/01/1985	Martha G. Prothro, EPA	EPA Waste Management Division Directors, Regions I – X	Public Notice of Tentative Section 301(g) Decisions and Draft NPDES Permits

AR-37	09/25/1987	James Elder, EPA	William A. Whittington, Susan G. Lepow, and Water Management Division Directors, EPA	Plan for Resolution of Fundamentally Different Factors and Section 301(g) Variance Requests
AR-38	September 2010	EPA		EPA NPDES Permit Writers' Manual
EPA Region 5 Decision Document				
AR-39	06/23/2011	Susan Hedman, Regional Administrator	Scott J. Nally, Director, Ohio EPA	Correspondence conveying Region 5's decision to deny ArcelorMittal Cleveland Inc.'s request for increased Section 301(g) variance effluent limits (With green card returned from certified mail and explanatory email from EPA Region 5)