

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

In the Matter of:)	
)	
VEOLIA ES TECHNICAL)	
SOLUTIONS, L.L.C.)	
)	Appeal No.: CAA 17-02
Permittee)	
)	
Air Pollution Control Title V)	
Permit to Operate)	
Permit No. V-IL-1716300103-2014-10)	
Docket No. U.S.EPA-R05-OAR-2014-0280)	
)	

JOINT STATUS REPORT & MOTION FOR A FURTHER STAY

Petitioner Veolia ES Technical Solutions, L.L.C. (“Petitioner”) and Region 5 of the United States Environmental Protection Agency (“Region 5”) (collectively, the “Parties”), by and through their undersigned attorneys, respectfully provide the Environmental Appeals Board (“Board”), with this Joint Status Report & Motion for a Further Stay (“Joint Filing”), as required by the Board’s October 25, 2017, Third Order Continuing Stay of Proceedings. The Parties state the following:

Since the Parties filed the October 23, 2017 Joint Status Report & Filing of Contingent Settlement Agreement, the EPA Office of General Counsel drafted a notice for the Federal Register to comply with the requirements of 42 U.S.C. § 7413(g). This notice was transmitted on to the Office of the Federal Register and is scheduled for publication on November 15, 2017. A copy of this notice is attached.

After the publication and the close of the 30-day comment period, the Administrator or his designee will consider any comments received and determine whether to withdraw or

withhold consent the contingent settlement agreement that has been filed with the Board. EPA anticipates that there may be substantial comments on the contingent settlement agreement and it may take some time to fully consider the comments received. Therefore, the Parties jointly move for a further stay of the proceedings until January 31, 2018, which the parties expect will be enough time for the notice to be published and to give the Administrator or his designee sufficient time to evaluate any comments received during the 30-day public comment period on the contingent settlement agreement.

<p>Respectfully Submitted,</p> <p><u>/s/ Catherine Garypie</u> Catherine Garypie Office of Regional Counsel, Region 5 U.S. Environmental Protection Agency 77 W. Jackson Blvd. (C-14J) Chicago, IL 60604 312-886-5825 Garypie.catherine@epa.gov</p> <p><u>/s/ John T. Krallman</u> John T. Krallman Office of General Counsel U.S. Environmental Protection Agency WJC North, MC 2344A 1200 Pennsylvania Ave., N.W. Washington, D.C. 20460 202-564-0904 Krallman.john@epa.gov</p> <p><i>Attorneys for the U.S. Environmental Protection Agency</i></p>	<p>Respectfully Submitted,</p> <p><u>/s/ Joseph M. Kellmeyer</u> Joseph M. Kellmeyer Ryan R. Kemper Sara L. Chamberlain Benjamin S. Harner Thompson Coburn LLP One US Bank Plaza St. Louis, Missouri 63101 314-552-6000 FAX 314-552-7000 jkellmeyer@thompsoncoburn.com rkemper@thompsoncoburn.com schamberlain@thompsoncoburn.com bharner@thompsoncoburn.com</p> <p><i>Attorneys for Permittee Veolia ES Technical Solutions, L.L.C.</i></p>
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CERTIFICATE OF SERVICE

I hereby certify, pursuant to the Rules of the Environmental Appeals Board of the U.S. Environmental Protection Agency, that on **November 13, 2017**, the foregoing was filed electronically with the Clerk of the Environmental Appeals Board using the EAB eFiling System, as authorized in the August 12, 2013, Standing Order titled Revised Order Authorizing Electronic Filing Procedures Before The Environmental Appeals Board Not Governed By 40 C.F.R. Part 22. The foregoing is also being served via U.S. Mail in hard copy paper form on the following:

Clerk of the Board
U.S. Environmental Protection Agency
Environmental Appeals Board
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Mail Code 1103M
Washington, DC 20460-0001

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/s/ John T. Krallman

John T. Krallman