

**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 November 16, 2017, Fourth Order Continuing Stay of Proceedings. The Parties state the following:

Since the Parties filed the November 13, 2017 Joint Status Report & Motion for a Further Stay, a Notice of Proposed Settlement Agreement; Request for Public Comment was published by EPA in the Federal Register to comply with the requirements of 42 U.S.C. § 7413(g). *See* 82 Fed. Reg. 52901 (Nov. 15, 2017). This notice announced that written comments on the proposed settlement agreement must be received by December 15, 2017. During this comment period, EPA received three comments. *See* <https://www.regulations.gov/docket?D=EPA-HQ-OGC-2017-0630>. The Administrator or his designee is now considering the comments received and

determining whether to withdraw or withhold consent to the contingent settlement agreement that has been filed with the Board. The parties shall advise the Board on whether the Administrator or his designee anticipates being able to determine whether to withdraw or withhold consent in the required January 17, 2018 status report.

<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>
--	--

CERTIFICATE OF SERVICE

I hereby certify, pursuant to the Rules of the Environmental Appeals Board of the U.S. Environmental Protection Agency, that on **December 20, 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
1200 Pennsylvania Avenue, NW
Mail Code 1103M
Washington, DC 20460-0001

Joseph Kellmeyer
Thompson Coburn LLP
One US Bank Plaza
St. Louis, Missouri 63101
314-552-6000
FAX 314-552-7000
jkellmeyer@thompsoncoburn.com

/s/ John T. Krallman
John T. Krallman