

**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

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, as required by the Board’s May 25, 2017, Order Granting Second Joint Motion for Extension of Stay. The Parties state the following:

1. Progress Made by the Parties: Since filing the July 31, 2017, Joint Status Report, the Parties have held multiple teleconferences to negotiate the terms of a Settlement Agreement as well as proposed revisions to the final Title V permit for Petitioner’s Sauget, Illinois facility, issued by Region 5 on January 18, 2017 (“Permit”). The Parties have held telephonic negotiating sessions on August 23rd, August 29th, September 6th, September 14th, September 19th, and September 21st and have exchanged numerous drafts of a revised Permit and Settlement Agreement. The Parties expect to attach a draft revised Permit to a final Settlement Agreement executed by the Parties. At this time, the

Parties believe we are very close to finalizing the Settlement Agreement which will include a draft CAA Title V renewal permit and anticipate reaching agreement shortly.

2. Plan and timeline for resolving any outstanding issues. The Parties expect to follow the following timeline (revised since the Parties' July 31, 2017 Joint Status Report):
 - a. Early October: Region 5 and Petitioner finalize and sign a Settlement Agreement (including an attached draft CAA Title V renewal permit).
 - b. Mid-October: EPA files contingent Settlement Agreement with the Board – settlement is contingent on a 30-day notice & comment provisions of 42 U.S.C. § 7413(g).
 - c. Late-October: EPA issues the Settlement Agreement for a 30-day public notice & comment.
 - d. Late November: After an opportunity for notice and comment, the Administrator or his/her designee will consider any written comments in determining whether to withdraw or withhold consent to the Settlement Agreement, in accordance with 42 U.S.C. § 7413(g). If the Administrator or his/her designee elects not to withdraw or withhold consent to the Settlement Agreement, Region 5 will then request voluntary remand of the Permit from the Board and Petitioner will ask for the Petition to be dismissed.
 - e. December: Region 5 issues a proposed CAA Title V renewal permit, followed by public notice and comment, and the issuance of a final renewal CAA Title V permit.
3. Completion of the settlement process by November 22, 2017. At this time, the Parties continue to believe that the settlement process can be completed before the Stay expires

on November 22, 2017. The Parties will inform the Board if facts and circumstances arise that indicate an additional extension of the Stay will be necessary.

<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 **September 25, 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
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/s/ John T. Krallman

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