



UNITED STATES
ENVIRONMENTAL PROTECTION AGENCY
BEFORE THE ADMINISTRATOR

IN RE MATTER OF)
)
NATIONAL STEEL CORPORATION,) DOCKET NO. CWA-5-2001-010
)
)
)
RESPONDENT)

ORDER TERMINATING PROCEEDINGS BEFORE
THE ADMINISTRATIVE LAW JUDGE

On November 1, 2002 the parties filed an executed Consent Agreement and Final Order ("CAFO") in the above-captioned proceeding with the Regional Hearing Clerk. The CAFO provides that the CAFO is subject to the approval of the Bankruptcy Court,^{1/} and that if the Bankruptcy Court does not approve Respondent's entry into this CAFO, the CAFO shall be deemed void *ab initio*.

The CAFO between the parties, including the final order from the Regional Administrator, disposes of the above-captioned proceeding under the Consolidated Rules of Practice Governing the Administrative Assessment of Civil Penalties and the Revocation/Termination or Suspension of Permits (the "Rules of Practice"), 40 C.F.R. §§ 22.1-32. See 38 C.F.R. §§ 22.18(b)(2)-(3). Pursuant to the terms of the CAFO, Respondent waived its rights to a judicial or administrative hearing or appeal on any issue of law or fact set forth in the Complaint. Thus, although

the CAFO is subject to the approval of the Bankruptcy Court, no proceeding before me is pending.

Accordingly, the above-cited proceeding before the undersigned is **Closed**.

^{1/} The CAFO states that on March 6, 2002, Respondent and its wholly owned subsidiaries filed a voluntary petition for reorganization under Chapter 11 of the Bankruptcy Code in the Northern District of Illinois, Bankruptcy Case Numbers 02-08697 through 02-08738.

Barbara A. Gunning
Administrative Law Judge

Dated: November 12, 2002
Washington, DC