



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

JAN 11 2018

Edward N. Siskel
Corporation Counsel
City of Chicago Law Department
30 North LaSalle Street Suite 1400
Chicago, Illinois 60602

Dear Mr. Siskel:

Thank you for your December 13, 2017 letter regarding efforts of federal and state agencies to resolve Clean Water Act violations at the U.S. Steel Portage, Indiana facility. In your letter, the City of Chicago requests to be included in the on-going negotiations between the federal and state agencies and the U.S. Steel Corporation.

As you note in your letter, counsel for the U.S. Environmental Protection Agency and Department of Justice had a phone call with the City on November 28, 2017 to discuss the on-going efforts of EPA, other federal agencies, and the Indiana Department of Environmental Management (IDEM) to resolve this matter via a federal/state consent decree. In that call, the City raised a particular concern about notification to City officials of spills into Lake Michigan, a concern we have kept in mind during settlement discussions. We also agreed to keep the City informed of progress in settlement discussions.

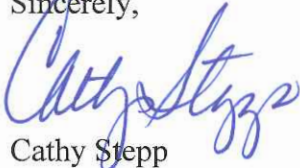
We are happy to report that our staff attorneys and environmental scientists have completed an agreement in principle with U.S. Steel which, among other things, addresses U.S. Steel's past and on-going violations of the Clean Water Act, including providing for injunctive relief and civil penalties. We believe that the compliance measures outlined in the agreement in principle will go far in protecting Burns Harbor and Lake Michigan from unlawful discharges and spills. The agreement in principle covers all claims identified not only by EPA and IDEM but also by the City in its Notice of Intent. Thus, all that remains is for the parties to agree on the exact language in a consent decree, which we aim to have approved by the federal and state agencies (and U.S. Steel) and be lodged with the federal district court in the near future. In light of the fact that the staff attorneys and scientists have completed their substantive negotiations and are diligently prosecuting the matter via what we anticipate to be a soon-to-be lodged decree, the United States and Indiana respectfully decline your request for participation in the settlement discussions at this time.

While we cannot discuss the details of potential enforcement matters, including the terms of this settlement, we'd be happy to set up another call to listen to any additional concerns that the City may have that you believe would be helpful in concluding an effective settlement. In addition,

we will give serious consideration to any and all comments by the City and other community representatives during the public comment period following the lodging of a consent decree.

Again, thank you for your letter. If you have further questions or would like another call scheduled, please feel free to contact Rett Nelson, EPA Region 5's Regional Counsel, at (312) 886-6666.

Sincerely,



Cathy Stepp
Regional Administrator

cc: Arnold Rosenthal (DOJ)
Beth Admire (IDEM)