



Illinois Environmental Protection Agency

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JB Pritzker, Governor

James Jennings, Director

Friday, June 5, 2026

United States Steel Corporation
Kevin Stetter - Sr. Manager
600 Grant St. - Environmental Affairs Dept.
Room 1774
Pittsburg, PA 15219

Subject: Notice of Incomplete Application for Clean Water Act (CWA) Section 401 Certification
Concerning the "U.S. Steel North Vessel Slip Sediment Remediation" in Cook County
Illinois EPA Log number: C-0428-25

Dear Applicant:

On Wednesday, April 29, 2026, the Illinois EPA (Agency) received your documentation concerning the subject proposed construction activity. Based on our review of this documentation, we are providing the following comments.

The Agency has determined that the submitted documentation is considered an incomplete request for a CWA Section 401 water quality certification pursuant to 40 CFR 121.5. Because the request is incomplete, no further review will occur and additional information as outlined in this letter must be provided to qualify as a valid application.

Specifically, the reason or reasons this application was determined to be invalid is because the application has been determined to be deficient in accordance with information requirements under 35 Ill. Admin. Code Section 395.401 or fee requirements in accordance with the Environmental Protection Act (415 ILCS 5/12.6). To the extent determined necessary by the Agency, the following information must be provided:

1. Testing of Dredged or Fill Material Discharges - Title 35 Ill. Adm. Code Part 395 requires laboratory testing of the proposed dredged or fill materials for discharges into surface waters of the State if such materials do not consist entirely of uncontaminated quarry stone, sand, or broken concrete free of protruding reinforcement material. Material discharges subject to these requirements may also include incidental releases or resuspension of sediment and substrate materials due to construction activities.



Required testing for the proposed material discharge may include particle size analysis and chemical analysis in accordance with Section 395.205 or other appropriate testing protocols, and to the extent deemed necessary by the Agency to determine the potential pollutional characteristics of the materials with time, effectiveness of treatment, placement practices, or other discharge controls, structural and otherwise. Sampling of materials to be evaluated must be representative of the proposed discharge. Analytical testing for contaminants of concern must be conducted in accordance with approved analytical methods found in 40 CFR 136 and using detection concentrations sufficiently low enough to meet chemical specific Illinois water quality standards found in 35 Title 35 Ill. Adm. Code 302.

Activities such as open water disposal of dredged solids or release of sediments from dam removal must demonstrate that discharged materials are free of significant sources of contaminants or will not cause degradation of aquatic resources and violations of water quality standards where dispersal of sediments would occur. Additional modeling and studies may be required to demonstrate that such activities and their resulting sediment dispersion zones would comply with water quality requirements under 35 Ill. Adm. Code 302.102 (Allowed Mixing, Mixing Zones, and ZID). Dam removal activities shall develop site specific stream bed load rate curves and fluvial geomorphological modeling to determine sediment transport rates corresponding to dam removal activities and to demonstrate that the proposed dam removal would not cause degradation of downstream waters containing mussel beds; endangered species; fish spawning areas; areas of important aquatic life habitat; or any other natural features vital to the wellbeing of aquatic life. The Agency recommends early consultation with Bureau of Water staff to identify the appropriate sampling and testing requirements.

Elutriate analytical data summary provided appears to present data for the geotextile tube dewatering test filtrate and Dredged Material Amendment Test Elutriate. Please provide additional information to simplify provided table for easy comprehension. What is the procedure for the Dredged Material Amendment Test? What does the result represent? Include interpretation for all keys and abbreviation on the table. Please provide laboratory analytical results of the elutriate testing representative of the final proposed discharge at the proposed outfalls (end of pipe), particularly elutriate testing for lead, zinc, mercury, ammonia-nitrogen (as N), and phosphorus. Please provide sediment particle size analysis results and laboratory analytical results of sediment testing conducted in accordance with 35 Ill. Adm. Code 1100, Subpart F.

2. Certification Fee - Section 12.6 of the Environmental Protection Act [415 ILCS 5/12.6] requires payment of the certification fee prior to issuance of the federal CWA Section 401 certification. In addition to this, the Agency may determine that an application is incomplete or that a public notice cannot be issued unless the certification fee has been paid. Please provide the fee payment in the appropriate amount, which is \$350 or 1% of the gross value of the proposed project, whichever is greater, but not to exceed \$10,000. The gross project value must also include any costs associated

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with compensatory mitigation. Please note that FEES ARE NOT REFUNDABLE. We have attached a fee worksheet to this email that contains additional fee payment information. Please return this worksheet with your information along with the appropriate fee check.

The Agency will maintain your already submitted documentation for a period of one year in anticipation of forthcoming information as specified above. When filing a request for certification or any related correspondence, please ensure that the log number (C-0428-25) is referenced in each submittal. If you have any questions about this notification or about the Illinois 401 review process, please contact us at: 217/782-3362.

Sincerely,

A handwritten signature in blue ink that reads "Marcya Saddler". The signature is fluid and cursive, with the first name "Marcya" and last name "Saddler" clearly distinguishable.

Marcya Saddler
Office Coordinator, Division of Water Pollution Control
Bureau of Water, Illinois EPA

Attachments(s)

CC: FederalAgency
Consultant
BOW_File