

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
INEOS JOLIET, LLC,)	
Petitioner,)	
)	
v.)	PCB No. 23-135
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
Respondent.)	

NOTICE OF FILING

To:	
Don Brown	Brad Halloran
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500	100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
don.brown@illinois.gov	brad.halloran@illinois.gov
(via electronic mail)	(via electronic mail)

SEE ATTACHED SERVICE LIST

PLEASE TAKE NOTICE that I have filed today with the Illinois Pollution Control Board the RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY in the above captioned case, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Rebecca Strauss
Rebecca Strauss
Assistant Counsel
Division of Legal Counsel
Rebecca.Strauss@illinois.gov

DATED: September 27, 2023
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217-557-1451

SERVICE LIST

Don Brown, Clerk of the Board
Brad Halloran, Hearing Officer
Illinois Pollution Control Board
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Andrea.Quade@heplerbroom.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
INEOS JOLIET, LLC,)
Petitioner,)
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v.) PCB No. 23-135
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
Respondent.)

RECOMMENDATION OF THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

NOW COMES the Illinois Environmental Protection Agency (“Agency”), by and through one of its attorneys, Rebecca Strauss, and in response to the Petition to Approve Alternative Thermal Effluent Limitations for INEOS Joliet, LLC (“Petition”) filed with the Illinois Pollution Control Board (“Board”) on June 29, 2023, by INEOS Joliet, LLC (“INEOS” or “Petitioner”), pursuant to 35 Ill. Adm. Code 106.1100 et seq. (Part 106, Subpart K), submits the following recommendation.

INTRODUCTION

On June 29, 2023, INEOS filed a Petition asking the Board to approve alternative effluent limitations (“AELs” or “ATELs”) for the discharge to the Lower Des Plaines River (“LDPR”) from its manufacturing facility in Channahon, Illinois (“Facility”). The LDPR is within the Upper Dresden Island Pool (“UDIP”) at River Mile 280.3. The Facility is downriver from Midwest Generation, LLC’s (“MWGen”) Joliet 9 Generation Station and Joliet 29 Generation Stations, which directly discharge into the UDIP. In a recent matter, the Board granted MWGen’s Petitions for alternative effluent limitations for these two Generation Stations. *See* Board Opinion and Order, Midwest Generation, LLC v. IEPA, PCB 20-38, 20-39 (July 8, 2021).

Section 316(a) of the Federal Clean Water Act allows for an owner or operator to demonstrate that the effluent limitations for the facility's heated effluent are more stringent than necessary to "assure the propagation of balanced, indigenous population of shellfish, fish, and wildlife in and on the body of water into which the discharge is to be made." *See* 33 U.S.C. 1326. The Board incorporated this Federal Clean Water Act provision into 35 Ill. Adm. Code 106.11 et seq. ("Part 106, Subpart K"), which allows the Board to determine that alternative requirements may apply to thermal discharge. The Petitions were filed pursuant to the Board's procedures for requesting alternative thermal relief under Part 106, Subpart K to demonstrate that the effluent limitations for the facility's heated effluent are more stringent than necessary and to request alternative thermal limitations.

BACKGROUND

On July 8, 2021, the Board granted 316(a) relief for the MWGen facilities (Joliet 9 and 29) in PCB 20-38 and PCB 20-39. In its petitions in these two cases ("MWGen Petitions"), MWGen evaluated the downstream dischargers (Flint Hills Resources, now INEOS, at River Mile 280.3, Stepan Chemical at River Mile 280, and the ExxonMobil Joliet Refinery at River Mile 278.2) and determined that "[a]ll three have an insignificant impact on the thermal regime of the Upper Dresden Island Pool ("UDIP"), whether assessed individually or collectively." *See* Joliet Generating Stations 9 and 29 §316(a) Demonstration ("MWGen Demonstration"), Appendix D at 86. Therefore, the Agency recommended that the downstream thermal discharges be included in the granted relief; however, the Board did not include the downstream dischargers in the relief based on the lack of sufficient information in the record. *See* Board Opinion and Order, Midwest Generation, LLC v. IEPA, PCB 20-38, 20-39 (July 8, 2021) at 55.

INEOS submitted a 316(a) Demonstration that cites the MWGen Demonstration document and provides facility-specific information. *See* Petition, Appendix 1. The Facility discharges to the Des Plaines River at a point where 1500.4 cubic feet per seconds of flow exists upstream of the outfall during critical 7Q10 low-flow conditions. *See* Illinois State Water Survey 7-day 10-year Low Flow: Map 2: Northeastern Illinois Streams, February 2003 revision. The Facility has a design average flow of 2.318 million gallons per day and a daily maximum flow of 3.544 million gallons per day for 2022. *See* Illinois Discharge Monitoring Report Dataset for Fiscal Year 2022, available at <https://echo.epa.gov/tools/data-downloads/icis-npdes-dmr-and-limit-data-set>. This section of the Des Plaines River is classified as Upper Dresden Island Pool Aquatic Life Use waters. *See* 35 Ill. Adm. Code 303.230. The Des Plaines River is not listed as a biologically significant stream in the 2008 Illinois Department of Natural Resources Publication *Integrating Multiple Taxa in a Biological Stream Rating System*, nor is it given an integrity rating in that document. The Des Plaines River, Waterbody Segment, IL_G-12, is listed on the 2020/2022 Illinois Integrated Water Quality Report and Section 303(d) List as impaired for fish consumption use with potential causes given as mercury and polychlorinated biphenyls. *See* 2020/2022 Illinois Integrated Water Quality Report, Appendix C-2 at 11. Indigenous aquatic life use is fully supported. *See* 2020/2022 Illinois Integrated Water Quality Report, Appendix C-2 at 11. This segment of the Des Plaines River is not subject to enhanced dissolved oxygen standards. *See* 35 Ill. Adm. Code 302.206(d) and Appendix D.

PETITIONER'S REQUESTED RELIEF

In lieu of the General Use thermal water quality standards contained in 35 Ill. Admin. Code 302.211 and the UDIP thermal water quality standards provisions contained in 35 Ill. Admin. Code 302.408 (c)-(f), and (i), INEOS is requesting coverage under the MWGen ATEs for its thermal

discharge to the UDIP. *See* Petition at 30. Based on the entirety of the MWGen case record in PCB 20-38 and 20-39, as well as the site-specific information contained in the INEOS Demonstration document, INEOS requests this relief, as well as acknowledgement that the Zone of Passage requirements in Section 302.102(b) are applicable to the INEOS thermal discharge and that mixing is allowed to meet the applicable numeric MWGen ATELS. *See* Petition at 32. INEOS requests that a mixing zone be granted which allows the use of 25% of the 7Q10 flow of the UDIP to maintain compliance with the MG ATELS. *See* Petition at 34.

The proposed numeric near-field alternate thermal effluent limitations for the INEOS facility are as follows. *See* Petition at 34.

Month	Approved MWGen Near-Field ATELS Daily Maximum (°F) Requested to be applied to INEOS Thermal Discharge
January	65
February	65
March	70
April	80
May	85
June	93
July	93
August	93
September	93
October	90
November	85
December	70
Excursion Hours	Daily maximum not to be exceeded by more than 5% of the time in a calendar year; at no time shall water temperature exceed the maximum limits by more than 3°F

AGENCY'S RECOMMENDATION

1) Whether the Board should grant the Petitioner's requested alternative thermal effluent limitation.

The Agency, pursuant to 35 Ill. Adm. Code 106.1145, recommends that the Board GRANT the AELs for discharges from the Facility.

2) The rationale for the Agency's position.

The Agency believes that INEOS has met the requirements to justify a 316(a) demonstration both through the Petition and inclusion of the MWGen Demonstration.

INEOS has demonstrated that it meets the requirements of 35 Ill. Adm. Code 302.102 and qualify for a mixing zone. INEOS has demonstrated that there is no reasonable potential for the INEOS thermal discharge to raise the temperature of the main body of the river more than 0.5°F over ambient upstream temperature conditions and as long as the INEOS Outfall 001 maximum discharge temperature remains at or below 100°F, compliance with the ATELs will be maintained for all months of the year. *See* Petition at 33.

The MWGen Demonstration performed both a prospective and a retrospective analysis for the 316(a) demonstration. *See* MWGen Demonstration, Appendices B and C. The Demonstration Report uses a retrospective analysis of aquatic community monitoring data collected during the operation of the Joliet Stations 9 and 29 facilities over the past 20 years. *See* MWGen Petitions at 25. This extensive biological database was collected during a period when the less-stringent Secondary Contact and Indigenous Aquatic Life standard applied. *See* MWGen Petitions at 25. The retrospective evaluation was conducted in two parts. First, the condition of each biotic category as a whole was analyzed by comparing available information on its abundance and species composition to what would be expected based on existing habitat, flow, and chemical

characteristics of the UDIP and Five-Mile Stretch. Second, the long-term trends abundance for each of the biotic categories within the UDIP/Five-Mile Stretch BIC were analyzed to determine whether a change in population abundance has occurred that can be attributed to the operation of Joliet Stations. *See* MWGen Petitions at 25.

The MWGen Demonstration also utilized predictive studies to assess whether the proposed AELs will “assure the protection and propagation of a balanced, indigenous, community of shellfish, fish, and wildlife.” *See* MWGen Petitions at 15. MWGen has also prepared a predictive assessment using the MIKE3 model outputs to characterize and predict resultant hydrothermal conditions in the UDIP downstream of the Joliet Stations’ thermal discharges under on both typical and worst-case scenarios based on real-world data. *See* MWGen Petitions at 26. The MIKE-3-predicted thermal plume dimensions and distribution in the UDIP were compared to available biothermal metric data related to survival, avoidance, spawning, and growth of fish under worst-case, typical, and typical low flow, pared with corresponding projected station operation data. *See* MWGen Petitions at 27. This approach used quantitative hydrothermal modeling to predict thermal conditions under various operating and ambient flow conditions, integrated with metrics of thermal requirements and tolerance limits identified in scientific literature for selected aquatic species representative of the BIC. *See* MWGen Petitions at 28.

Collectively, the hydrothermal model and predictive analysis were integrated with representative important species (“RIS”) life history requirements to develop proposed summer and winter thermal AELs that are protective of the UDIP/Five-Mile Stretch “balanced, indigenous, community” (“BIC”). MWGen Petitions at 28. The RIS, selected under the criteria found in the USEPA 1977 Draft 316(a) Guidance Manual, were River Redhourse (*Moxostoma carinatum*), White Sucker (*Catostomus commersonii*), Gizzard Shad (*Dorosoma cepedianum*), Bluntnose

Minnnow (*Pimephales notatus*), Banded Killifish (*Fundulus diaphanous menona*), Common Carp (*Cyprinus carpio*), Channel Catfish (*Ictalurus punctatus*), Largemouth Bass (*Micropterus salmoides*), Bluegill (*Lepomis macrochirus*), and Freshwater Drum (*Aplodinatus grunniens*). *See* MWGen Demonstration, Exhibit D at 6 and Exhibit E at 6. The data reviewed for the predictive assessment demonstrates that the Joliet Stations 9 and 29 thermal discharges would not have an adverse effect on spawning and early development of the RIS that could potentially utilize habitat in the UDIP and the Five-Mile Stretch. Water temperatures acceptable for these activities would be available outside of the Joliet Stations 9 and 29 allowable mixing zones under typical temperature scenarios throughout most of the spawning period of these species. In addition, no unique or critical habitat for spawning and early development of RIS or threatened/endangered species exists in the UDIP or Five-Mile Stretch. *See* MWGen Petitions at 29.

The MWGen Demonstration showed that there is no evidence that operation of the Joliet Stations in accordance with the former Secondary Contact Waters thermal limits, nor the identical current interim thermal limits, have caused appreciable harm to a BIC in the UDIP/Five-Mile Stretch. *See* MWGen Petitions at 22.

The numeric thermal AELs will protect the BIC in lieu of other narrative criteria found in 302.408(c)-(f) and (i) and 302.211. Additionally, the UDIP and General Use thermal standards provide for abrupt standards changes from March to April (60°F to 90°F) and from November to December (90°F to 60°F). The proposed thermal AELs for several of the transition months (April, May, October, and November) are more stringent than the corresponding limits under ALU B and closer to seasonal temperature expected in the Des Plaines River.

Electronic Filing: Received, Clerk's Office 09/27/2023

The MWGen Petitions requested an adjustment to the thermal requirements in 35 Ill. Adm. Code 302.408 (c)-(f), and (i) for the UDIP and 302.211 for the Five-Mile Stretch. The requested adjustment consisted of the following:

1. MWGen proposed increasing the Near-Field (UDIP) temperature in the winter months (December through March). MWGen also proposed increasing the temperature in the summer months (June through September) from 90°F to 93°F. The Agency notes that the proposed temperature limits are all at or below the current secondary contact standards and the MWGen Demonstration shows that there is no evidence that operation of the MWGen facilities in accordance with the former Secondary Contact Waters thermal limits have caused appreciable harm to a BIC in the Des Plaines River. *See* MWGen Petitions at 22.
2. MWGen proposed increasing the Far-Field (Five-Mile Stretch) temperature in the winter months (December and March). MWGen also proposed increasing the temperature in the summer months (July and August) from 90°F to 91°F. The Agency notes that the proposed temperature limits are all at or below AS96-10 and the 316(a) Demonstration Report showed that there is no evidence that operation of the MWGen facilities in accordance with the AS96-10 thermal limits have caused appreciable harm to a BIC in the Des Plaines River. *See* MWGen Petitions at 22. Additionally, it should be noted that the Far-Field temperature for the summer has been decreased in the shoulder months (April, May, October, and November) where the General Use Standard is set at 90°F.

The MWGen Demonstration showed that there is no evidence that operation of MWGen facilities in accordance with the former Secondary Contact Waters and AS 96-10 thermal limits, nor the identical current interim thermal limits applicable until July 1, 2018, have caused appreciable harm to a BIC in the UDIP and Five-Mile Stretch. *See* MWGen Petitions at 22. The

numeric thermal AELs proposed for the MWGen facilities in the MWGen petition are more stringent than the prior Secondary Contact and Indigenous Aquatic Life limits and the thermal requirements of AS96-10 and logically should also not result in any such appreciable harm. The 316(a) Demonstration Report data and analysis demonstrates that the UDIP and Five-Mile Stretch BIC will be protected under the proposed thermal AELs. *See* MWGen Petitions at 22.

3) Whether the plan of study sufficiently addresses the Agency’s response pursuant to Section 106.1120(f).

The Agency approved the “Detailed Study Plan for a §316(a) Demonstration to Support Application of Alternative Thermal Effluent Limits for the INEOS Joliet LLC Facility” on March 13, 2022, with no additional comments. *See* Attachment A, Agency Letter dated March 13, 2022. After receiving the Detailed Study Plan, Illinois Department of Natural Resources (IDNR) opened a consultation pursuant to the Illinois Endangered Species Protection Act [520 ILCS 10/11], the Illinois Natural Areas Preservation Act [525 ILCS 30/17], Title 17 Illinois Administrative Code Part 1075, the Interagency Wetland Policy Act of 1989 [20 ILCS 830/] and Title 17 Illinois Administrative Code Part 1090. On April 15, 2022, IDNR closed the consultation after agreeing that inclusion of the INEOS discharge under the approved MWGen ATELs is unlikely to result in any adverse environmental impact on the balanced indigenous community of the UDIP. *See* Attachment A, IDNR Letter dated April 15, 2023.

4) Whether the petition has met the requirements of this part.

The Petition has met the requirements of Part 106, Subpart K. The requirements of Part 106, Subpart K are included in the Petition starting on page 7.

5) Any information the Agency believes is relevant to the Board's consideration of the proposed alternative thermal effluent limitation.

The Agency does not believe that any additional information is needed to supplement the 316(a) variance request.

6) Whether the Agency communicated with or received comments from the Illinois Department of Natural Resources, the United States Fish and Wildlife Service, or USEPA and the content of those communications.

As mentioned above, IDNR was provided the "Detailed Study Plan for a §316(a) Demonstration to Support Application of Alternative Thermal Effluent Limits for the INEOS Joliet LLC Facility". IDNR started a consultation at that time. On April 15, 2022, IDNR closed the consultation after agreeing that inclusion of the INEOS discharge under the approved MWGen ATEs is unlikely to result in any adverse environmental impact on the balanced indigenous community of the UDIP. *See* Attachment A, IDNR Letter dated April 15, 2022.

IDNR and USEPA were informed by the Agency that INEOS had submitted its Petition to the Board. *See* Attachment A, Emails between the Agency and IDNR. IDNR and USEPA were provided the link to the Board's website, informed of the August 14 deadline on August 8, 2023, and notified of the extended deadline of September 28, 2023. On August 8, 2023, IDNR stated that its consultation termination issued on April 15, 2022 is still valid. *See* Attachment A, Emails between the Agency and IDNR.

WHEREFORE, the Agency respectfully submits its Recommendation.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

Dated: September 27, 2023

By: /s/ Rebecca Strauss
Rebecca Strauss
Assistant Counsel
Division of Legal Counsel
Rebecca.Strauss@illinois.gov

1021 N. Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794
217-557-1451

ATTACHMENT A –
Communications Between
Agency and IDNR

Twait, Scott

From: Twait, Scott
Sent: Friday, August 18, 2023 8:56 AM
To: rosenberg.Kathryn@epa.gov
Cc: Agbesola, Yetunde
Subject: RE: INEOS 316(a)

Kathryn,

Just to let you know, we did get the extension. Our response is due September 28, 2023.

Thanks,
Scott

From: Twait, Scott
Sent: Tuesday, August 8, 2023 10:47 AM
To: Hayes, Bradley <Bradley.Hayes@illinois.gov>; rosenberg.Kathryn@epa.gov
Cc: Rawe, Adam <Adam.Rawe@illinois.gov>; Agbesola, Yetunde <Yetunde.Agbesola@Illinois.gov>
Subject: INEOS 316(a)

Kathryn and Brad,

INEOS filed their 316(a) petition with the Illinois Pollution Control Board (IPCB) on 6/30/23. I am sorry for the late notice, our response to the IPCB is due on 8/14/23, however, we are in the process of asking for additional time (I will let you know the status as soon as I can).

As some background, INEOS is downstream of Midwest Generation Stations 9 and 29. Both Midwest Generation facilities applied for and were granted 316(a) relief on 7/8/21. The impacted waters included several downstream dischargers, including the INEOS discharge. The Agency recommended adding the downstream dischargers to the relief, however the IPCB found the record to be insufficient and did not include them. The INEOS 316(a) demonstration is relying on the Midwest Generation 316(a) demonstration.

The INEOS petition (PCB 2023-135) can be found at:
<https://pcb.illinois.gov/Cases/GetCaseDetailsById?caseId=17386>

Please let the appropriate person in your office know. If you have any questions, please let me know.
Brad – Adam reviewed their Detailed Study Plan, opened a consultation, and closed the consultation on April 15, 2022.

Thanks,
Scott

Scott Twait, Manager
Water Quality Standards Section, Bureau of Water
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217-782-3362

217-782-9891 (fax)

Twait, Scott

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Sent: Tuesday, August 8, 2023 10:47 AM
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Cc: Rawe, Adam; Agbesola, Yetunde
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Thanks,
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Scott Twait, Manager
Water Quality Standards Section, Bureau of Water
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217-782-3362
217-782-9891 (fax)

Twait, Scott

From: Rawe, Adam
Sent: Tuesday, August 8, 2023 12:56 PM
To: Twait, Scott
Cc: Hayes, Bradley
Subject: RE: INEOS 316(a)

Thanks! I discussed this with Brad and our review is valid for two years from the issue date. You're still covered.

From: Twait, Scott <Scott.Twait@Illinois.gov>
Sent: Tuesday, August 8, 2023 12:20 PM
To: Rawe, Adam <Adam.Rawe@illinois.gov>
Cc: Hayes, Bradley <Bradley.Hayes@illinois.gov>
Subject: RE: INEOS 316(a)

It is an FYI unless you believe it needs to be revisited.

Thanks,
Scott

From: Rawe, Adam <Adam.Rawe@illinois.gov>
Sent: Tuesday, August 8, 2023 11:14 AM
To: Twait, Scott <Scott.Twait@Illinois.gov>
Cc: Hayes, Bradley <Bradley.Hayes@illinois.gov>
Subject: RE: INEOS 316(a)

Scott,

Did you need anything else from IDNR or is this more an FYI?

Thanks
Adam

From: Twait, Scott <Scott.Twait@Illinois.gov>
Sent: Tuesday, August 8, 2023 10:47 AM
To: Hayes, Bradley <Bradley.Hayes@illinois.gov>; rosenberg.Kathryn@epa.gov
Cc: Rawe, Adam <Adam.Rawe@illinois.gov>; Agbesola, Yetunde <Yetunde.Agbesola@Illinois.gov>
Subject: INEOS 316(a)

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however the IPCB found the record to be insufficient and did not include them. The INEOS 316(a) demonstration is relying on the Midwest Generation 316(a) demonstration.

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Thanks,
Scott

Scott Twait, Manager
Water Quality Standards Section, Bureau of Water
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Illinois Department of Natural Resources

One Natural Resources Way Springfield, Illinois 62702-1271
www.dnr.illinois.gov

JB Pritzker, Governor
Colleen Callahan, Director

April 15, 2022

Mr. Scott Twait
1021 North Grand Avenue East
PO Box 19276
Springfield, IL 62794-9276

**RE: INEOS Joliet Facility 316(a) Petition
Consultation Program
EcoCAT Review #2210535
Will County**

Dear Mr. Twait,

The Department has received your submission for this project for the purposes of consultation pursuant to the *Illinois Endangered Species Protection Act* [520 ILCS 10/11], the *Illinois Natural Areas Preservation Act* [525 ILCS 30/17], Title 17 *Illinois Administrative Code Part 1075*, the *Interagency Wetland Policy Act of 1989* [20 ILCS 830/] and Title 17 *Illinois Administrative Code Part 1090*.

The proposed action consists of the submittal of the Detailed Study Plan for a 316(a) Demonstration to Support Application of Alternative Thermal Effluent Limits for the INEOS Joliet LLC Facility (NPDES Permit No. IL0001643).

EcoCAT did not indicate records for State-listed species in the vicinity of the project. After review of the petition, the Department concurs with the petitioner that inclusion of the INEOS discharge under the approved Midwest Generation, LLC Alternative Thermal Effluent Limits is unlikely to result in any adverse environmental impact on the balanced indigenous community of the Upper Dresden Island Pool of the Lower Des Plaines River.

Consultation on the part of the Department is closed unless the IEPA desires additional information or advice related to this proposal. Consultation for Part 1075 is valid for two years unless new information becomes available which was not previously considered; the proposed action is modified; or additional species, essential habitat, or Natural Areas are identified in the vicinity. If the action has not been implemented within two years of the date of this letter, or any of the above listed conditions develop, a new consultation is necessary.

The natural resource review reflects the information existing in the Illinois Natural Heritage Database at the time of the project submittal and should not be regarded as a final statement on the project being considered, nor should it be a substitute for detailed site surveys or field surveys

required for environmental assessments. If additional protected resources are unexpectedly encountered during the project's implementation, the applicant must comply with the applicable statutes and regulations.

This letter does not serve as permission to take any listed or endangered species. As a reminder, no take of an endangered species is permitted without an Incidental Take Authorization or the required permits. Anyone who takes a listed or endangered species without an Incidental Take Authorization or required permit may be subject to criminal and/or civil penalties pursuant to the *Illinois Endangered Species Act*, the *Fish and Aquatic Life Act*, the *Wildlife Code* and other applicable authority.

Please contact me with any questions about this review.

Sincerely,

Adam Rawe

Adam Rawe
Office of Realty & Capital Planning
Illinois Dept. of Natural Resources
One Natural Resources Way
Springfield, IL 62702-1271
Adam.Rawe@illinois.gov
(217)785-4991



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Electronic Filing Received, Clerk's Office 09/27/2023
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JB PRITZKER, GOVERNOR

JOHN J. KIM, DIRECTOR

ST1
Planning File

217/558-2012

MAR 13 2022

INEOS Joliet, LLC
c/o Mike Galvin, IH/Water CSO – Facility Security Officer
23425 Amoco Road
Channahon, Illinois 60410

RE: NPDES Nos. IL0001643
INEOS Joliet, LLC
316(a) Detailed Plan of Study Approval

Dear Mr. Galvin:

The Agency has reviewed the January 28, 2022 “Detailed Study Plan for a 316(a) Demonstration to Support Application of Alternative Thermal Effluent Limits for the INEOS Joliet LLC Facility”. Based on the information provided, the Agency approves the “Detailed Study Plan for a 316(a) Demonstration to Support Application of Alternative Thermal Effluent Limits for the INEOS Joliet LLC Facility” thereby satisfying the requirements of 35 IAC 106.1120 (Detailed Plan of Study). The Agency reserves the option to provide further comments if new information becomes available.

If you have any questions or comments regarding this letter, please contact me at the above address and phone number. If you have questions regarding the permit, please call Permit Section at 217/782-0610.

Sincerely,

Scott Twait, Manger
Water Quality Standards Unit
Bureau of Water

SAT:INEOS-316(a)planofstudy.docx

Cc: Michael Murphy, Hepler Broom

bcc: Sanjay Sofat
Sara Terranova
Des Plaines Regional Office – Surface Water Manager

CERTIFICATE OF SERVICE

I, the undersigned, an attorney, state that I have served the attached RECOMMENDATION for the Illinois Environmental Protection Agency upon the person to whom it is directed, via electronic mail before 4:30pm on September 27, 2023, to the following persons:

Don Brown, Clerk of the Board
Brad Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center, Suite 11-500
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