#### BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:	)	
Petition of Emerald Polymer	)	
-	)	AS 19-2
Additives, LLC for an Adjusted	)	
-	)	(Adjusted Standard)
Standard from 35 Ill. Adm. Code	)	
	)	
304.122(b)	)	

#### NOTICE OF ELECTRONIC FILING

TO:

Clerk, Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, IL 60601 Illinois Environmental Protection Agency Division of Legal Counsel 1021 N. Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Illinois Pollution Control Board Petitioner's NOTICE OF ELECTRONIC FILING, PROOF OF PETITION FILING REQUIREMENTS and CERTIFICATE OF SERVICE, copies of which are attached herewith and served upon you.

Respectfully submitted, Emerald Polymer Additives LLC.

By: /s/ Kelsey Weyhing

One of Its Attorneys

Date: April 22, 2019

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#### PROOF OF PETITION NOTICE REQUIREMENTS

Pursuant to 35 III. Adm. Code Sections 104.408 and 104.410, on April 10 2019, petitioner Emerald Polymer Additives, LLC ("Emerald") published notice of the filing of its Petition for Adjusted Standard ("Petition") by advertisement in a newspaper of general circulation in the area of Emerald's chemical manufacturing facility in Henry, Illinois. In support of this filing Emerald states the following:

- 1. Emerald filed the Petition with the Clerk of the Illinois Pollution Control Board on April 3, 2019.
- 2. Pursuant to the Petition, Emerald seeks an adjusted standard from the total ammonia nitrogen as nitrogen (N) effluent standard in 35 Ill. Adm. Code 304.122(b) for the effluent from the wastewater treatment plant at the Emerald chemical manufacturing facility located at 1550 County Road 1450 N., in Henry, Illinois ("Henry Plant").
- 3. On April 10, 2019, Emerald published notice of the filing of the Petition by advertisement in the *Henry News-Republican*, a newspaper of general circulation in Henry, Illinois.

## Electronic Filing: Received, Clerk's Office 4/22/2019

- 4. As required by 35 Ill. Adm. Code Section 104.408(a), Emerald published notice of the filing of the Petition within 14 days after it filed the Petition.
- 5. The notice includes the specific language required by 35 Ill. Adm. Code Section 104.408(b).
- 6. As required by 35 Ill. Adm. Code Section 104.410, a certificate of publication issued by the publisher of the *Henry News-Republican* certifying publication of the notice on April 10, 2019, is attached as **Exhibit 1**. The certificate of publication attaches Emerald's notice as it appeared in the *Henry News-Republican* and states that the *Henry News-Republican* satisfies the requirements of the Illinois Notice by Publication Act, 715 ILCS 5/0.01, *et seq*. The language included in Emerald's notice is consistent with 35 Ill. Adm. Code Section 104.408(b).
- 7. Emerald's notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1. *See* Public Notice Illinois Website,

https://www.publicnoticeillinois.com/Details.aspx?SID=obl1tsj1tumtyy4hl23ofccu&ID=146171.

WHEREFORE, for the reasons stated above, Emerald has satisfied the requirements for providing notice of the filing of its Petition for Adjusted Standard and for filing proof of such notice with the Illinois Pollution Control Board.

## Electronic Filing: Received, Clerk's Office 4/22/2019

Respectfully submitted,

Emerald Polymer Additives LLC.

By: /s/ Thomas W. Dimond

One of Its Attorneys

Date: April 22, 2019

Thomas W. Dimond Kelsey Weyhing ICE MILLER LLP 200 West Madison, Suite 3500 Chicago, Illinois 60606 (312) 726-1567 Thomas.Dimond@icemiller.com Kelsey.Weyhing@icemiller.com

### Electronic Filing: Received, Clerk's Office 4/22/2019

#### **CERTIFICATE OF SERVICE**

I, the undersigned, certify that on April 22, 2019, I have served electronically the attached NOTICE OF ELECTRONIC FILING and PROOF OF PETITION NOTICE REQUIREMENTS upon the following person:

Clerk, Illinois Pollution Control Board James R. Thompson Center 100 West Randolph Street, Suite 11-500 Chicago, IL 60601

and by U.S. Mail, first class postage prepaid and electronic mail, to the following persons:

Division of Legal Counsel Illinois Environmental Protection Agency 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 epa.dlc@illinois.gov

/s/ Kelse	y Weyhin	g

# EXHIBIT 1

# **Certificate of Publication**

No 3858 Henry Illinois, april 10, 2019
STATE OF ILLINOIS )
)ss.
I, the undersigned wy yeyler, do hereby.
I, the undersigned any Beigler, do hereby certify that I am the Publisher of Kenry News Republic
that said Newspaper is a public and secular newspaper of general circula-
tion published weekly in the City of Henry County of
Marshall, and State of Illinois, and that the same has been regu-
larly published for at least six months prior to the date of the first publica-
tion of notice herinafter mentioned. I further certify that a notice, of which
the annexed is a true printed copy, has been regularly published in said
paper,/times, once in each week for/successive
weeks, the first publication thereof having been made in the issue of said
newspaper published on lipsel 10, 2019 and the last publication
thereof having been made in the issue of said newspaper published on April 10, 2019
IN WITNESS WHEREOF, I have hereunto set my hand at Lenry, in said County & State this 10 day of April
A.D. 2019
Publisher's Fee \$ 88.75

# **Legal Notice**

Notice Of Petition By Emerald Polymer Additives, LLC For An Adjusted Standard Before The Illinois Pollution Control Board

On April 3, 2019, Emerald Polymer Additives, LLC ("Emerald") located at 1550 County Road, 850 N, in Henry, Illinois, Marshall County, filed a Petition for an Adjusted Standard with the Illinois Pollution Control Board, which has docketed that petition as AS 19-2. Emerald produces rubber accelerators and antioxidants for the rubber, lubricant and plastics industries.

Emerald is requesting a renewal on substantially the same terms of the adjusted standard previously granted by Illinois Pollution Control Board as AS 13-2. Emerald is seeking relief from 35 III. Adm. Code 304.122(b) as it applies to the discharge of wastewater containing ammonia nitrogen to the Illinois River from the wastewater treatment plant that it owns and which treats wastewater from both the Emerald and Mexichem facilities and discharged pursuant to its NPDES Permit. Emerald seeks an adjusted standard based upon the lack of any adverse environmental impact and other factors.

In lieu of the ammonia effluent standard in 35 ILL. Adm. Code 304.122(b), Emerald proposed the adoption by the Board of the following adjusted standard language:

(1) Pursuant to Section 28.1 of the Environmental Protection Act (415 ILCS 5/28.1 (2012), the Board grants Emerald Polymer Additives, LLC (Emerald) an adjusted standard from 35 Ill. Adm. Code 304.122(b). Under this adjusted standard, the total ammonia nitrogen effluent standard at 35 Ill. Adm. Code 304.122(b) does not apply to the discharge of effluent into the Illinois River from the Emerald facility at 1550 County Road 1450 N in Henry, Marshall County. Instead, Emerald's effluent for total

ammonia nitrogen must comply with a daily maximum of 140 milligrams per liter (mg/L) and 1,633 pounds per day (lbs/day), as well as a 30-day average of 110 mg/L and 841 lbs/day.

(2) The adjusted standard granted in paragraph 1 of this order is subject to the following conditions:

- 1. Emerald must continue to maintain the high-rate, multi-port diffuser for the discharge into the Illinois River to achieve an effluent dispersion necessary to meet the applicable ammonia nitrogen water quality standards at the edge of the mixing zone and zone of initial dilution (ZID).
- b. Emerald must maintain the following ammonia reduction measures: replacement of the BBTS Wet Scrubber with a dust collector; and upgrade of instrumentation for the acetronitrile recovery column.
- c. Emerald must investigate new production methods and technologies that generate less ammonia and nitrification inhibitors in Emerald's discharge. The nitrification inhibitors such as MBT are the chief cause of inhibiting nitrification in the treatment system which allows for ammonia to discharge.
- d. Emerald must investigate new treatment technologies and evaluate implementation of new and existing treatment technology based on current plant conditions.
- e. Emerald must prepare and submit to the Agency annual reports summarizing its activities to comply with paragraphs 2(c) and 2(d).

Any person may cause a public hearing to be held in the abovedescribed adjusted standard proceeding by filing a hearing request with the Illinois Pollution Control Board within 21 days after the date of the publication of this notice. The hearing request should indicate the docket number for the adjusted standard proceeding, as found in this notice. The hearing request must be mailed to the Clerk, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500. Chicago, Illinois 60601, or filed electronically through COOL, located on the Board's website (www.ipcb.state.il.us).

Advt. 4H-1t