

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

INGREDION INCORPORATED	)	
Petitioner,	)	
	)	
v.	)	PCB 19 – 32
	)	(Time-Limited Water Quality Standard)
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
(VIA ELECTRONIC MAIL)	(VIA ELECTRONIC MAIL)

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **STATUS REPORT**, a copy of which is herewith served upon you.

Respectfully submitted,

INGREDION INCORPORATED,  
Petitioner,

Dated: September 10, 2020

By:     /s/ Michael P. Murphy      
    One of Its Attorneys

Michael P. Murphy  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, Illinois 62711  
[Michael.Murphy@heplerbroom.com](mailto:Michael.Murphy@heplerbroom.com)  
(217) 528-3674

**CERTIFICATE OF SERVICE**

I, the undersigned, on oath state the following:

That I have served the attached **STATUS REPORT** via electronic mail upon:

Don Brown  
Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
[Don.Brown@illinois.gov](mailto:Don.Brown@illinois.gov)

Brad Halloran  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

Sara Terranova  
Stefanie N. Diers  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794  
[Sara.terranova@illinois.gov](mailto:Sara.terranova@illinois.gov)  
[Stefanie.diers@illinois.gov](mailto:Stefanie.diers@illinois.gov)

David Pfeifer  
USEPA – WQ16J  
77 W. Jackson  
Chicago, Illinois 60604  
[pfeifer.david@epa.gov](mailto:pfeifer.david@epa.gov)

That my email address is [Michael.Murphy@heplerbroom.com](mailto:Michael.Murphy@heplerbroom.com).

That the number of pages in the email transmission is 7 pages.

That the email transmission took place before 5:00 p.m. on the date of September 10, 2020

\_\_\_\_\_  
/s/ Michael P. Murphy  
Michael P. Murphy

Date: September 10, 2020

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

INGREDION INCORPORATED	)	
Petitioner,	)	
	)	
v.	)	PCB 19 – 32
	)	(Time-Limited Water Quality Standard)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY	)	
Respondent.	)	

**STATUS REPORT**

Petitioner, Ingredion Incorporated (“Ingredion”), by and through its attorneys, HeplerBroom, LLC, states as follows for its Status Report:

**Background**

1. On July 26, 2018, pursuant to Section 38.5 of the Illinois Environmental Protection Act (“Act”), 415 ILCS 5/38.5, and 35 ILL. ADM. CODE Section 104.100 *et seq.*, Ingredion petitioned the Board for a single discharger TLWQS from the temperature standard adopted by the Board at 35 ILL. ADM. CODE Sections 302.408(b), (c), (d), (e), (f), and (h) (Use B temperature standards) for thermal discharges from Ingredion’s Argo Plant in Bedford Park, Illinois, into a portion of the Chicago Area Waterway System known as the Chicago Sanitary & Ship Canal.

2. On September 20, 2018, the Board issued an Order finding that Ingredion timely filed its Petition and that the temperature water quality standard is stayed as to Ingredion.

3. On July 25, 2019, the Board ruled that Ingredion's Petition substantially complied with the substantial or essential content requirements of 40 C.F.R. § 131.14, 415 ILCS 5/38.5, and 35 ILL. ADM. CODE 104.530.

4. The Board also ordered the Respondent, the Illinois Environmental Protection Agency ("Illinois EPA" or "Agency"), to submit a Recommendation regarding the Petition by September 9, 2019. *See* 35 ILL. ADM. CODE 104.545(b), 104.550(a).

5. On September 9, 2019, Ingredion, together with Illinois EPA, filed a Joint Motion to Stay Proceedings ("Motion"). The Motion explained that "in light of the available data regarding Ingredion's thermal effluent, the Agency cannot make an appropriate recommendation until it receives temperature data from Ingredion encompassing two more winter seasons," specifically, the winter of 2019 and the winter of 2020. Motion, ¶ 6. Ingredion and the Agency therefore jointly requested the Board to stay these proceedings for 18 months, until March 10, 2021, so that the additional data could be gathered and analyzed. *Id.* ¶ 7.

6. In an Order dated September 19, 2019, the Board granted the Motion, staying these proceedings until March 10, 2021, or until the Board orders otherwise, and ruling that the "stay of the temperature water quality standard remains in effect as to Ingredion during the stay." The Board also directed Ingredion to file a status report every six months during the stay, "including the additional temperature data described in the

joint motion.” The first status report was timely filed on March 10, 2020, and the second status report is due on or before September 10, 2020.

Status Report

7. Ingreption continues to gather temperature data regarding its thermal effluent.

8. With the March 10, 2020 Status Report, Ingreption attached and incorporated Exhibit A, a table entitled “Summary of Winter CSSC Temperature Monitoring Data for Ingreption, Inc.” The table included a summary of the data from the recent winter months (December, January, and February) as well as a summary of prior years’ winter months, along with other data relevant to the thermal effluent. The table did not include certain data for February 2020 or data for March 2020.

9. Attached, marked as Exhibit B, and incorporated into this Status Report is an updated table entitled “Summary of Winter CSSC Temperature Monitoring Data for Ingreption, Inc., December 2016-March 2020.” The table has been updated to include the temperature data from February and March 2020 that was unavailable when Exhibit A was filed.

10. Ingreption will continue to gather temperature data and will await any feedback from Illinois EPA regarding the data in Exhibits A and B.

11. As required by the Board’s Order of September 19, 2019, Ingreption will file another status report on or before March 10, 2021.

WHEREFORE, Petitioner, Ingredion, respectfully submits its second Status Report as required by the Board's Order of September 19, 2019.

Dated: September 10, 2020

Respectfully submitted,

INGREDION INCORPORATED,  
Petitioner

By: /s/ Michael P. Murphy  
One of its attorneys

Michael P. Murphy, #6284342  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, IL 62711  
[Michael.Murphy@heplerbroom.com](mailto:Michael.Murphy@heplerbroom.com)  
(217) 528-3674

## Exhibit B

## Summary of Winter CSSC Temperature Monitoring Data for Ingreddion, Inc., December 2016-March 2020

Month/Year	Maximum Ingreddion End of Pipe Discharge Temp (F)	Average Ingreddion End of Pipe Discharge Temp (F)	Maximum Ingreddion Intake Temp (F)	Average Ingreddion Intake Temp (F)	Mean Monthly Ingreddion Intake Flow--in cfs	Maximum MWRDGC Stickney Plant Discharge Temp (F)	Average MWRDGC Stickney Plant Discharge Temp (F)	Mean Monthly MWRDGC Stickney Plant Discharge Flow--in cfs	Mean CSSC Flow at Lemont (USGS)--in cfs	Monthly Min/Max Air Temperature Range (in deg F)--NWS O'Hare
Dec-16	82	79	56	55	49	60	56	853	1814	-13 / 54
Jan-17	76	73	48	47	45	55	52	1091	2952	0 / 59
Feb-17	80	77	56	53	45	56	52	890	1970	10 / 70
Mar-17	80	76	56	52	49	56	53	1144	3208	16 / 82
Dec-17	87	81	61	58	41	60	57	668	1330	-4 / 65
Jan-18	77	71	51	47	44	53	51	834	1786	-9 / 59
Feb-18	78	71	49	48	44	53	50	1149	3806	-3 / 66
Mar-18	82	76	55	52	44*	55	51	1259	2667	19 / 58
Dec-18	78	75	54	51	49	60	55	1207	2649	16 / 53
Jan-19	74	72	50	48	51	55	53	961	2179	-23 / 53
Feb-19	77	74	49	45	41	51	50	1291	3431	1 / 53
Mar-19	73	70	51	50	38	53	50	1219	2728	-3 / 65
Dec-19	83	77	54	51	52	58	57	809	1965	10 / 61
Jan-20	79	75	51	48	51	55	53	1301	3224	2 / 50
Feb-20	76	72	49	45	51	54	52	851	2159	-2 / 55
Mar-20	82	78	53	50	51	56	54	1111	2673	25/67

\*incorrectly reported in prior report

Highlighted data was unavailable for the first status report submitted March 10, 2020.

MWRDGC data source: [http://apps.mwrdd.org/plant\\_data/OperatingData.aspx](http://apps.mwrdd.org/plant_data/OperatingData.aspx)CSSC Flow Data source: [https://waterdata.usgs.gov/il/nwis/uv/?site\\_no=05536890&PARAMeter\\_cd=00065,00060](https://waterdata.usgs.gov/il/nwis/uv/?site_no=05536890&PARAMeter_cd=00065,00060)Weather Data Source: <https://w2.weather.gov/climate/index.php?wfo=lot>