

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

**ARCHER DANIELS MIDLAND
COMPANY,**

Petitioner,

v.

**ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,**

Respondent.

)
)
)
)
)
)
)
)
)
)

**PCB 25-6
Water – Permit Appeal**

NOTICE OF FILING

To:
Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Stefanie N. Diers
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Ave., E.
P.O. Box 19726
Springfield, IL 62794
stefanie.diers@illinois.gov

PLEASE TAKE NOTICE THAT I have today filed with the Office of the Clerk of the Pollution Control Board the attached VOLUNTARY MOTION TO DISMISS of the Petitioner, Archer Daniels Midland Company, copies of which are attached hereto and herewith served upon you.

Dated: November 13, 2024

Respectfully submitted,

NIJMAN FRANZETTI LLP

/s/ Anne L. Wahlig

*Attorneys for Petitioner Archer Daniels Midland
Company*

Susan M. Franzetti
Anne L. Wahlig
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3400
Chicago, IL 60603
(312) 251-5590
sf@nijmanfranzetti.com
aw@nijmanfranzetti.com

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

ARCHER DANIELS MIDLAND)	
COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 25-6
)	Water – Permit Appeal
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

VOLUNTARY MOTION TO DISMISS

Petitioner Archer Daniels Midland Company, by and through its attorneys, NIJMAN FRANZETTI LLP, pursuant to 35 Ill. Adm. Code 101.500 of the Illinois Pollution Control Board’s (“Board’s”) procedural rules (35 Ill. Adm. Code 101.500) asks the Board to dismiss this National Pollutant Discharge Elimination System (NPDES) permit appeal, stating as follows:

1. On July 12, 2024, Petitioner received a NPDES permit issued by the Illinois EPA for ADM’s North Water Treatment Plant. Accordingly, the deadline for the NPDES permit appeal was August 16, 2024.
2. On August 14, 2024, ADM petitioned the Board to extend the permit appeal deadline, with the consent of the Illinois EPA. On August 22, 2024, the Board issued an order granting the motion and extending the permit appeal deadline to October 9, 2024.
3. On October 1, ADM filed a Motion for Additional Extension of NPDES Permit Appeal Period. On October 17, 2024, the Board directed ADM to file an amended petition for review on or before November 14, 2024.

WHEREFORE, Petitioner has decided not to pursue a NPDES appeal and respectfully requests that the Illinois Pollution Control Board dismiss this matter and close the docket.

Dated: November 13, 2024

Respectfully submitted,

NIJMAN FRANZETTI LLP

/s/ Anne L. Wahlig

*Attorneys for Petitioner Archer Daniels Midland
Company*

Susan M. Franzetti
Anne L. Wahlig
Nijman Franzetti LLP
10 S. LaSalle Street, Suite 3400
Chicago, IL 60603
(312) 251-5590
sf@nijmanfranzetti.com
aw@nijmanfranzetti.com

CERTIFICATE OF SERVICE

Anne L. Wahlig, counsel for Archer Daniels Midland Company, herein certifies that she has electronically served copies of the foregoing VOLUNTARY MOTION TO DISMISS upon the following on November 13, 2024:

Don Brown, Clerk of the Board
Illinois Pollution Control Board
60 E. Van Buren Street, Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Stefanie N. Diers
Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Ave., E.
P.O. Box 19726
Springfield, IL 62794
stefanie.diers@illinois.gov