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November 24, 2024

Illinois Pollution Control Board
1021 North Grand Avenue East
Springfield, IL 62702

Re: Cease and Desist Demand

Dear Chairman Currie and Board Members:

This letter serves as a documentation of a pattern of uncompliant activities for NPDES Permit No. IL R10 (Permit ID ILR10ZELD). The Anhydrous Ammonia Bulk Storage Facility was constructed as well as fully operational prior to this permit being issued.

The Central Commodity FS Anhydrous Ammonia plant site is a 12-acre site with the potential to expand (west towards lake Sangchris) through a land locked remaining parcel. This new Central Commodity FS Anhydrous Ammonia Plant is located on the bank of Sangchris lake. The 12-acre parcel naturally drains towards lake Sangchris. Part of the parcel has a 590 elevation, which is full pool elevation of lake Sangchris.

On May 22, 2024, it was recorded with photos and an e-mail was sent to Robert Sitt at IEPA. Showing that over an acre of ground had been removed to start construction.

On June 7, 2024, after a complaint (LR406I) a field inspection of the site (NE ¼ of Section 16, T13N, R3W of the 3rd P.M.) was conducted by Lukas Dale, BOW/Springfield. It was observed that "The disturbed area for the construction site was approximately 1.71 acres." Two apparent violations were sited Section 12(f) of the Act not having a NPDES permit and Subtitle C, Section 309.102 (a) provisions of the clean water act.

On July 18, 2024 it was recorded that Central Commodity FS already placed an Anhydrous Ammonia tank on the site prematurely before obtaining the proper permits. (NE ¼ of Section 16, T13N, R3W of the 3rd P.M.).

On September 13, 2024, the NPDES Permit No. ILR10 was issued by Darin E. LeCrone, P.E.

On September 24, 2024 Report from the field June 7, 2024 was written. No corrective actions or follow up field inspection was noted.

November 13, 2024 e-mail from Rober Stitt according to the IEPA system the coverage was approved on October 21, 2024. Section 40 (e)(1) of the Act says, If the Agency grants or denies a permit under subsection (b) of Section 39 of this Act, a third party, other than the permit applicant or Agency, may petition the Board within 35 days from the date of issuance of the Agency's decision, for a hearing to contest the decision of the Agency.

Concerns of Anhydrous ammonia hugs the ground seeking low areas with water. Each tank will have Bleeder valves which release anhydrous ammonia from the pressure withinside of the tank. The anhydrous will then seek the low areas with water. Lake Sangchris will be the first to be affected. Over time this will impact on the eco system and surrounding community.

The definition of a Discharge of a pollutant means: (a) Any addition of any "pollutant" or combination of pollutants to "waters of the United States" from any "point source. (See Section 122.2 Definitions).

Title 40 Chapter 1 Subchapter D Part 122 subpart B

122.26(a)(v) A discharge which the Director, or in States with approved NPDES programs, either the Director or the EPA Regional Administrator, determines to contribute to a violation of a water quality standard or is a significant contributor of pollutants to waters of the United States. This designation may include a discharge from any conveyance or system of conveyances used for collecting and conveying storm water runoff or a system of discharges from municipal separate storm sewers, except for those discharges from conveyances which do not require a permit under paragraph (a)(2) of this section or agricultural storm water runoff which is exempted from the definition of point source at § 122.2.

122.26(c)(C) A certification that all outfalls that should contain storm water discharges associated with industrial activity have been tested or evaluated for the presence of non-storm water discharges which are not covered by a NPDES permit; tests for such non-storm water discharges may include smoke tests, fluorometric dye tests, analysis of accurate schematics, as well as other appropriate tests. The certification shall include a description of the method used, the date of any testing, and the on-site drainage points that were directly observed during a test.

Covered under Title 40 Chapter 1 Subchapter According to Part 124.1 C Part 124 offers an opportunity for public hearings (see § 124.12).

I seek a permanent cease and desist all further actions described above. And the removal of the Anhydrous ammonia plant from the current 12-acre site NE ¼ of Section 16, T13N, R3W of the 3rd P.M.)

Please give this very important matter the utmost attention.

Sincerely,

Michael T. Laurenzana