

CONFIDENTIAL
RETURN TO CLERK'S OFFICE
BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS

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OCT 12 2012
STATE OF ILLINOIS
Pollution Control Board

IN THE MATTER OF:)
Petition of Emerald Performance)
Materials LLC for an Adjusted) AS 13-2
Standard from 35 Ill. Adm. Code) (Adjusted Standard)
304.122(b))

NOTICE OF FILING

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

Deborah Williams
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that on **Friday, October 12, 2012**, I have filed with the Clerk of the Pollution Control Board the Notice of Publication in this matter pursuant to 35 Ill. Adm. Code 104.408, a copy of which is attached hereto and served upon you.

Respectfully submitted,

Emerald Performance Materials LLC



By: _____

One of Its Attorneys

Roy M. Harsch
Drinker Biddle & Reath LLP
191 N. Wacker Drive - Suite 3700
Chicago, Illinois 60606-1698
312-569-1441

THIS FILING IS SUBMITTED ON RECYCLED PAPER

NOTICE OF PUBLICATION

Emerald Performance Materials LLC, through its attorneys, Drinker Biddle & Reath LLP, hereby files an original and nine copies of the attached Certificate of Publication of the "Notice of Petition for Adjusted Standard for Noveon, Inc. Before the Illinois Pollution Control Board," (Exhibit A), which appeared in the Henry News-Republican, a daily newspaper of general circulation printed and published in the City of Henry, Illinois, on October 10, 2012.

Pursuant to 35 Ill. Adm. Code 104.408 Emerald Performance Materials LLC was required to cause the publication of notice of its Notice of Petition for an Adjusted Standard on or before October 26, 2012. The timely notice that was published on October 10, 2012, and this filing satisfies that requirement.

Respectfully submitted,

Emerald Performance Materials LLC



By:

One of Its Attorneys

Roy M. Harsch
Drinker Biddle & Reath LLP
191 N. Wacker Drive - Suite 3700
Chicago, Illinois 60606-1698
312-569-1441

Certificate of Publication

No 3531) Henry, Illinois, October 10, 2012
STATE OF ILLINOIS)
) ss.

I, the undersigned Amy Zoeger, do hereby certify that I am the Publisher of Henry News Republican that said Newspaper is a public and secular newspaper of general circulation published weekly in the City of Henry, County of Marshall, and State of Illinois, and that the same has been regularly published for at least six months prior to the date of the first publication of notice hereinafter mentioned. I further certify that a notice, of which the annexed is a true printed copy, has been regularly published in said paper, 1 times, once in each week for 1 successive weeks, the first publication thereof having been made in the issue of said newspaper published on Oct. 10, 2012 and the last publication thereof having been made in the issue of said newspaper published on Oct. 10, 2012

IN WITNESS WHEREOF, I have hereunto set my hand at Henry in said County & State this 10 day of October A.D., 2012

Publisher's Fee \$ 56.25

Amy Zoeger

EXHIBIT

Legal Notice

Notice of Petition By
Emerald Performance
Materials LLC

Before The Illinois
Pollution Control Board

On September 28, 2012, Emerald Performance Materials 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 13-2. Emerald produces rubber accelerators and antioxidants for the rubber, lubricant and plastics industries.

Emerald is requesting a continuation of the Adjusted Standard previously granted in AS 02-05 to Noveon, Inc. from whom Emerald purchased the Henry Plant. Emerald

WWW

Marshall-P

10:00:21

Sundays

Bringing Business

Legal Notice

Notice of Petition By
Emerald Performance
Materials LLC
Before The Illinois
Pollution Control Board

On September 28, 2012, Emerald Performance Materials LLC ("Emerald") located at 1550 Country 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 13-2. Emerald produces rubber accelerators and antioxidants for the rubber, lubricant and plastics industries.

Emerald is requesting a continuation of the Adjusted Standard previously granted in AS 02-05 to Noveon, Inc. from whom Emerald purchased the Henry Plant. Emerald is seeking relief from 35 Ill. 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 waste water from both the Emerald and PolyOne Corporation facilities and discharges pursuant to their joint NPDES Permit. Emerald seeks an adjusted standard based upon the lack of any adverse environmental impact.

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

Emerald Performance Materials LLC ("Emerald") and PolyOne Corporation ("PolyOne") are hereby granted an adjusted standard from 35 Ill. Adm. Code 304.122. Pursuant to this adjusted standard, 35 Ill. Adm. Code 304.122 shall not apply to the discharge of effluent into the Illinois River from the Emerald plant located at 1550 Country Road 1450 in Henry, Illinois as regard ammonia nitrogen. The granting of this adjusted standard is contingent upon the following conditions:

A. Emerald shall not discharge at concentrations greater than calculated ammonia nitrogen as N 155 mg/l from its Henry, Illinois plant into the Illinois River.

B. Discharge into the Illinois River shall occur through the existing high rate multi-port diffuser.

Any person may cause a public hearing to be held in the above-described 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 clearly indicate the docket number for the adjusted standard proceeding, as found in this notice and shall be mailed to the Clerk of the Board, Illinois Pollution Control Board, 100 W. Randolph Street, Suite 11-500, Chicago, IL 60601.

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he served copies of the attached document upon:

Clerk, Illinois Pollution Control Board
State of Illinois 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

Deborah Williams
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

by causing them to be placed in envelopes addressed as above, with postage fully prepaid, and deposited in the U. S. Post Office mailbox at 191 N. Wacker Drive, Chicago, Illinois on Friday, October 12, 2012.


