

**BEFORE THE POLLUTION CONTROL BOARD
OF THE STATE OF ILLINOIS**

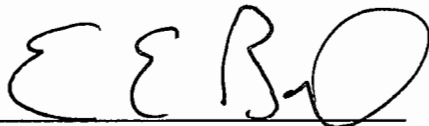
Cedar Concepts Corporation,)	
)	
Petitioner,)	
)	PCB No. 014- _____
v.)	(CAAPP Permit Appeal)
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
Respondent.)	

NOTICE OF FILING

TO: Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a copy of **Appearance**, and **Petition for a Hearing and Review of a Final Agency Decision**, a copy of which is hereby served upon you.

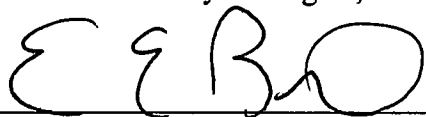
Cedar Concepts Corporation

By: 
One of Its Attorneys

Eric E. Boyd
THOMPSON COBURN LLP
55 East Monroe Street
Chicago, Illinois 60603
Telephone: (312) 346-7500
FAX(312) 580-2201
Firm I.D. No. 48614

CERTIFICATE OF SERVICE

I, Eric E. Boyd, the undersigned attorney, electronically filed this **Notice of Filing** with the Clerk of the Illinois Pollution Control Board with copies going to all attorneys of record by U.S. mail, postage prepaid, to the address indicated above this 12th day of August, 2014.

By: 
Eric E. Boyd

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Petitioner,)	
)	PCB No. 014- _____
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ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
)	
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APPEARANCE

Petitioner Cedar Concepts Corporation ("Cedar Concepts"), by its attorneys, Thompson Coburn LLP, hereby enters its appearance in the above-referenced matter.

DATED: August 12, 2014

Respectfully submitted,

Cedar Concepts Corporation

By: 

 One of Its Attorneys

Eric E. Boyd
 THOMPSON COBURN LLP
 55 East Monroe Street
 Chicago, Illinois 60603
 Telephone: (312) 346-7500
 Fax: (312) 580-2201
 Firm I.D. No. 48614

THIS FILING SUBMITTED ON RECYCLED PAPER

**BEFORE THE POLLUTION CONTROL BOARD
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Cedar Concepts Corporation,)	
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Petitioner,)	
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v.)	PCB No. 014- _____
)	(CAAPP Permit Appeal)
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ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY)	
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Respondent.)	

PETITION FOR A HEARING AND REVIEW OF A FINAL AGENCY DECISION

COMES NOW the Petitioner, Cedar Concepts Corporation (“Cedar Concepts”), by its attorneys, Thompson Coburn LLP, pursuant to the Illinois Environmental Protection Act, 735 ILCS 5/40.2(a) and its regulations, 35 Ill. Adm. Code Part 105, Subpart C, and does hereby appeal the July 8, 2014 denial of Respondent the Illinois Environmental Protection Agency (“Agency”), and in support thereof states as follows:

1. Cedar Concepts is a manufacturer of surfactants located at 4342 South Wolcott Avenue in Chicago, Illinois (“Facility”).
2. Cedar Concepts applied for a Federally Enforceable State Operating Permit (“FESOP”) for the Facility.
3. On July 8, 2014, the Agency issued a permit denial to Cedar Concepts (“Permit Denial”, attached).
4. The Permit Denial was based on the failure of Cedar Concepts to demonstrate compliance with the National Emissions Standards for Hazardous Air Pollutants for Miscellaneous Organic Chemical Manufacturers of 40 C.F.R. Part 63, Subpart FFFF (“NESHAP”). The NESHAP, however, does not apply to the Facility.

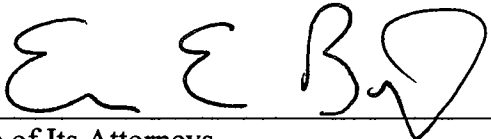
5. The Permit Denial was also based on a determination that maximum actual emissions for the Facility exceeded major source levels, but that is not the case.
6. The Agency's Permit Denial is not supported by the record, beyond the Agency's authority, arbitrary and capricious, and an abuse of the Agency's discretion.
7. Cedar Concepts requests that the Board stay the effectiveness of the denial of the CAAPP permit until final action is taken by the Board pursuant to Section 40.2 of the Act.

WHEREFORE, Cedar Concepts petitions the Illinois Pollution Control Board for a hearing on the Illinois Environmental Protection Agency's July 8, 2014 Permit Denial.

DATED: August 12, 2014

Respectfully submitted,

Cedar Concepts Corporation

By: 
One of Its Attorneys

Eric E. Boyd
THOMPSON COBURN LLP
55 East Monroe Street
Chicago, Illinois 60603
Telephone: (312) 346-7500
Fax: (312) 580-2201
Firm I.D. No. 48614



ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

1021 NORTH GRAND AVENUE EAST, P.O. Box 19506, SPRINGFIELD, ILLINOIS 62794-9506 - (217) 782-2113

PAT QUINN, GOVERNOR

LISA BONNETT, DIRECTOR

217/785-1705

CERTIFIED MAIL
7012 0470 0001 3002 4227

PERMIT DENIAL

July 8, 2014

Cedar Concepts Corporation
Attn: Linda Boasmond
4342 South Wolcott Avenue
Chicago, Illinois 60609

Application No.: 06090072
I. D. No.: 031600FNM
Received: September 28, 2006
Operation of: Chemical Manufacturing Plant
Location: 4342 South Wolcott Avenue, Chicago, Cook County, 60609

The Illinois EPA has reviewed your Application for a Clean Air Act Permit Program (CAAPP) permit. The permit application is DENIED because Sections 9 and 39.5 of the Illinois Environmental Protection Act (Act), 35 Ill. Adm. Code 201.160 and 40 CFR Part 63 might be violated.

Specifically, the following information must be supplied in order for the application to be considered complete:

1. The application does not demonstrate compliance with applicable regulatory requirements including, but not limited to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Organic Chemical Manufacturing, 40 CFR Part 63, Subpart FFFF. This includes, but is not limited to, listing the sections of the regulations that the source's activities/equipment are subject to and then submitting documentation necessary to demonstrate that the emission units or air pollution control equipment will not cause a violation of the applicable regulations. Pursuant to 35 Ill. Adm. Code 201.160 and Section 39(a) of the Act, the Agency shall not issue an operating permit unless the applicant submits proof to the Agency that the emission unit(s) or air pollution control equipment has been constructed or modified to operate so as not to cause a violation of the Act or of regulations hereunder.
- 2a. In response to the request concerning a Federally Enforceable State Operating Permit (FESOP), the Illinois EPA has determined that the maximum actual emissions for your facility appear to be above the major source threshold levels as defined in the Clean Air Act Permit Program (CAAPP) and that the facility may not be a candidate for a FESOP.
- b. Based on information contained in the Illinois EPA files your facility reported the emission of a single Hazardous Air Pollutant (HAP), methanol of 10.41 tons for calendar year 2008, which in excess of the 10 tons/year major source threshold for the CAAPP as specified in Section 39.5(2)(c)(i)(A) of the Act.
- 3a. Therefore, the source is subject to the National Emission Standards for Hazardous Air Pollutants (NESHAP) for Miscellaneous Organic Chemical Manufacturing, 40 CFR Part 63, Subparts A and FFFF. Pursuant to 40 CFR 63.2435(a), you are subject to the requirements in 40 CFR 63 Subpart

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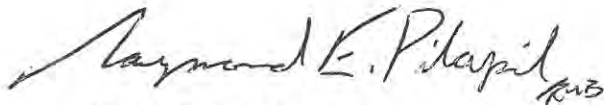
FFFF if you own or operate miscellaneous organic chemical manufacturing process units (MCPU) that are located at, or are part of, a major source of hazardous air pollutants (HAP) emissions as defined in section 112(a) of the Clean Air Act (CAA).

- b. Pursuant to 40 CFR 63.2445(b), if you have an existing source on November 10, 2003, you must comply with the requirements for existing sources in 40 CFR 63 Subpart FFFF no later than May 10, 2008.
- c. Pursuant to 40 CFR 63.1(c)(2), except as provided in 40 CFR 63.10(b)(3), if a relevant standard has been established under 40 CFR Part 63, the owner or operator of an affected source may be required to obtain a Title V permit from a permitting authority in the State in which the source is located.

The Illinois EPA welcomes and in fact encourages discussions, either in person or by telephone, with persons proposing projects which may be subject to the above regulations. Such discussions may explain and resolve issues much more effectively than written correspondence, to the benefit of both the Illinois EPA and an applicant. Please contact us if you believe such discussions would be helpful.

The Illinois EPA will be pleased to review a reapplication for this permit that includes the information and documentation necessary to correct the deficiencies noted above. This reapplication may incorporate by reference the data and information submitted to the Illinois EPA in the original permit application, provided that you certify that the data and information previously submitted remains true, correct, and current. The reapplication will be considered filed on the date it is received by the Illinois EPA and will constitute a new permit application for purposes of Section 39(a) of the Act. Two copies of this information must be submitted and should reference the application and I.D. numbers assigned above.

If you have any questions on this, please call Valeriy Brodsky at 217/785-1705.



Raymond E. Pilapil
Acting Manager, Permit Section
Division of Air Pollution Control

Date Signed:

7/8/2014

REP:VJB:jws

cc: Region 1
James Morgan, Division of Legal Counsel
Eric Jones, Illinois EPA Compliance Section