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APR 21 2003

STATE OF ILLINOIS  
Pollution Control Board

**ORIGINAL**  
BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:

Petition of Noveon, Inc. for an  
Adjusted Standard from  
35 Ill. Adm. Code 304.122

and  
Noveon, Inc. aka BF Goodrich  
Corporation, (Henry Facility),  
Petitioner,

vs.

Illinois Environmental Protection Agency,  
Respondent

AS 02-5

PCB 91-17  
(NPDES Permit Appeal)

NOTICE

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

Richard Kissel  
Mark Latham  
Gardner, Carton & Douglas  
321 North Clark Street-Suite 3400  
Chicago, Illinois 60601

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board MOTION TO WITHDRAW and APPEARANCE in the above matter, a copy of which is herewith served upon you.

ENVIRONMENTAL PROTECTION AGENCY  
OF THE STATE OF ILLINOIS

By: Connie L. Tonsor  
Connie L. Tonsor  
Associate Counsel  
Special Assistant Attorney General  
Division of Legal Counsel  
ARDC # 6186313

Date: April 17, 2003

Illinois Environmental  
Protection Agency  
1021 N. Grand Ave., East  
P.O. Box 19276  
Springfield, IL 62794-9276  
217) 782-5544

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Noveon, Inc. f/k/a BF Goodrich ) PCB 91-17  
Corporation, (Henry Facility), ) (NPDES Permit Appeal)  
Petitioner, )  
vs. )  
Illinois Environmental Protection Agency, )  
Respondent )

**MOTION TO WITHDRAW AND FOR SUBSTITUTION OF COUNSEL**

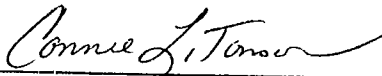
NOW COMES the Illinois Environmental Protection Agency ("Illinois EPA") by Connie L. Tonsor, one of its attorneys, and respectfully moves that the Board grant her Motion to Withdraw as counsel for the Illinois Environmental Protection Agency and substitute Deb Williams as counsel in the above-encaptioned matters.

- 1) On May 22, 2002, Noveon, Inc. ("Petitioner or Noveon") filed a petition for Adjusted Standard from 35 Ill. Adm. Code 304.122, as it relates to the discharge of ammonia in the effluent from its Henry, Illinois plant. The history of this matter is lengthy and rather complex. Essentially, Noveon has a complex chemical process during which ammonia forms in the waste treatment process. However, nitrification of ammonia in the waste treatment process is inhibited by chemicals used in the production process. Ammonia is not used in the production process. Noveon, Inc., then BF Goodrich had filed a permit appeal in 1991. The Board stayed the permit appeal after one day of hearing, pending resolution of ammonia effluent issues.
- 2) On June 20, 2003, the Illinois Pollution Control Board ("Illinois PCB or Board") accepted the adjusted standard petition for hearing.
- 3) Pursuant to Section 104.416 of the Board's procedural regulations and an Agreement of the Parties, the Illinois EPA's Response to the Petition is due on or before May 15, 2003. It is anticipated that the hearing on the permit appeal will resume and that a hearing on adjusted standard will occur in September or October 2003.
- 4) On March 16, 2003, Tonsor, who has assumed additional enforcement/management related duties at the

Illinois Environmental Protection Agency, transferred these matters to Deb Williams. Ms Williams' Appearance will be filed simultaneously with this Motion.

5) Wherefore, the Illinois EPA respectfully requests that the Illinois PCB grant its Motion.

**ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY**

By:   
Connie L. Tonsor  
Associate Counsel  
Special Assistant Attorney General  
Division of Legal Counsel  
ARDC # 6186313

**DATED: April 17, 2003**

**Illinois Environmental Protection Agency  
1021 N. Grand Ave., East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
(217) 782-5544**

**THIS FILING IS SUBMITTED ON RECYCLED PAPER**



STATE OF ILLINOIS )  
 )  
COUNTY OF SANGAMON )

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached MOTION and APPEARANCE upon the person to whom it is directed, by placing a copy in an envelope addressed to:

Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

Richard Kissel  
Mark Latham  
Gardner, Carton & Douglas  
321 North Clark Street-Suite 3400  
Chicago, Illinois 60601

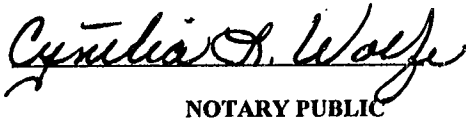
Bradley P. Halloran  
Hearing Officer  
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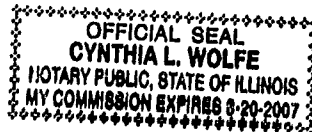
and mailing it from Springfield, Illinois on April 17, 2003 with sufficient postage affixed first class mail.



SUBSCRIBED AND SWORN TO BEFORE ME

this 17th day of April, 2003.

  
NOTARY PUBLIC



THIS FILING IS SUBMITTED ON RECYCLED PAPER.