

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
PROPOSED SITE SPECIFIC)	
RULE FOR SANITARY DISTRICT)	R14-24
OF DECATUR FROM 35 ILL. ADM.)	(Site Specific Rule – Water)
CODE SECTION 302.208(e).)	

NOTICE OF FILING

TO: Don Brown	Tim Fox
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500	100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)	(VIA ELECTRONIC MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board the **SANITARY DISTRICT OF DECATUR’S MOTION TO FILE ARCHER DANIEL MIDLAND COMPANY’S RESPONSE TO THE BOARD’S FIRST NOTICE OPINION AND ORDER**, a copy of which is herewith served upon you.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR

Date: September 13, 2018

By: /s/ Joshua J. Houser
One of Its Attorneys

Katherine D. Hodge
Daniel L. Siegfried
Joshua J. Houser
Melissa S. Brown
HEPLERBROOM, LLC
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Springfield, Illinois 62711
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(217) 528-3674

CERTIFICATE OF SERVICE

I, Joshua J. Houser, the undersigned, on oath state the following:

That I have served the attached **SANITARY DISTRICT OF DECATUR'S MOTION TO FILE ARCHER DANIEL MIDLAND COMPANY'S RESPONSE TO THE BOARD'S FIRST NOTICE OPINION AND ORDER**, via electronic mail upon:

Don Brown
Clerk of the Board
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
Don.Brown@illinois.gov

Tim Fox
Hearing Officer
Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601
Tim.Fox@illinois.gov

Sara Terranova
Rex Gradeless
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
Sara.Terranova@illinois.gov
Rex.Gradeless@illinois.gov

That my email address is Joshua.Houser@heplerbroom.com.

That the number of pages in the email transmission is 6.

That the email transmission took place before 5:00 p.m. on the date of September 13, 2018.

/s/ Joshua J. Houser

Joshua J. Houser

Date: September 13, 2018

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PROPOSED SITE SPECIFIC)
RULE FOR SANITARY DISTRICT) R14-24
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**SANITARY DISTRICT OF DECATUR'S
MOTION TO FILE ARCHER DANIEL MIDLAND COMPANY'S
RESPONSE TO THE BOARD'S FIRST NOTICE OPINION AND ORDER**

The Petitioner, SANITARY DISTRICT OF DECATUR (“District”), by and through its attorneys, HEPLERBROOM, LLC, moves the Illinois Pollution Control Board (“Board”) to accept and consider the attached response from Archer Daniels Midland Company (“ADM”) to the Board’s request for additional information in its First Notice Opinion and Order.

1. On July 26, 2018, the Board issued its First Notice Opinion and Order in this proceeding. *See* Board Opinion and Order, PCB No. 14-24 (Ill.Pol.Control.Bd. July 26, 2018).
2. In its Opinion, the Board included the following specific request: “The District reports that ADM estimate[s] \$4.25 million in annual operating costs to implement the proposed site-specific rule. The Board requests that the District and ADM itemize these projected annual operating costs.” *Id.* at 25.
3. Accordingly, ADM prepared a response to the Board’s request that includes an itemization of ADM’s estimated \$4.25 million in annual operating costs. *See* Letter from Paul Bloom, ADM, to Joshua Houser, HeplerBroom LLC (Sept. 4, 2018), attached as Attachment 1.

Wherefore, the District respectfully requests that the Board accept and consider the attached response from ADM to the Board's request in its First Notice Opinion and Order for an itemization of ADM's projected annual operating costs.

Respectfully submitted,

SANITARY DISTRICT OF DECATUR,

By: /s/ Joshua J. Houser
One of Its Attorneys

Date: September 13, 2018

Katherine D. Hodge
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Archer Daniels Midland Company

North American Headquarters

P.O. Box 1470

Decatur, Illinois 62525

T (217) 424 5200

ADM.COM

September 4, 2018

Joshua Houser
HeplerBroom LLC
4340 Acer Grove Drive
Springfield, IL 62711

Dear Mr. Houser,

On July 26, 2018, the Illinois Pollution Control Board (Board) issued its First Notice Opinion and Order in the Sanitary District of Decatur's site-specific rulemaking (SSR) for nickel. As you requested, ADM's response to the Board's request to itemize the estimated annual operating costs to implement the SSR are provided with this letter.

Board Requested Comment:

2. The District reports that ADM estimate \$4.25 million in annual operating costs to implement the proposed site-specific rule. The Board requests that the District and ADM itemize these projected annual operating costs.

The following table itemizes the estimated annual operating costs for the projects discussed in the District's Amended Petition. ADM previously implemented these projects in efforts to lower the nickel discharge and has committed to continue the operations as part of the plan to achieve the SSR, if approved. As a result, ADM has already incurred these costs and will continue to incur them if the SSR is approved.

Operating Costs for Nickel Removal at ADM Decatur Complex	
Projects	Annual Operating & Chemical Costs
1) East soybean process stream alternative (soy molasses removal)	\$2,400,000 (includes lost product value)
2) Used IX resin system at Sorbitol plant	\$500,000
3) Wastewater treatment plant sludge dewater/ land application	\$600,000
4) Personnel and laboratory testing costs (2FTE + HPLC etc.)	\$750,000

If you have any questions regarding this response, please contact me at 217-451-2158.

Sincerely,



Paul Bloom
Vice President, Process & Chemical Research

cc: Kent Newton, SDD
Dean Frommelt, ADM