

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

INEOS JOLIET, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 16-24
	)	(Time-Limited Water Quality Standard)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Don Brown	Brad Halloran
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
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA ELECTRONIC MAIL)</b>

**(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 an **PETITIONER'S MOTION FOR LEAVE TO AMEND ITS PETITION FOR TIME-LIMITED WATER QUALITY STANDARD**, copies of which are herewith served upon you.

Respectfully submitted,

Dated: April 1, 2019

By: /s/ Michael P. Murphy  
One of Its Attorneys

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**CERTIFICATE OF SERVICE**

I, the undersigned, on oath state that I have served the attached **PETITIONER'S  
MOTION FOR LEAVE TO AMEND ITS PETITION FOR TIME-LIMITED WATER  
QUALITY STANDARD** via electronic mail upon:

Don Brown  
Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center  
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That my email address is [Michael.Murphy@heplerbroom.com](mailto:Michael.Murphy@heplerbroom.com)

That the number of pages in the email transmission is 5 pages.

That the email transmission took place before 5:00 p.m. on the date of April 1, 2019.

/s/ Michael P. Murphy  
Michael P. Murphy

Date: April 1, 2019

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	)	
Respondent.	)	

**PETITIONER'S MOTION FOR LEAVE TO AMEND ITS PETITION  
FOR TIME-LIMITED WATER QUALITY STANDARD**

Petitioner, INEOS Joliet, LLC ("Petitioner"), by and through its attorneys, HEPLERBROOM, LLC, submits to the Illinois Pollution Control Board ("Board") its Motion for Leave to Amend its Petition for Time-Limited Water Quality Standard. In support of its motion, Petitioner states as follows:

1. Petitioner filed its Amended Petition for Time-Limited Water Quality Standard for Temperature ("Amended Petition") on July 26, 2018.
2. The Amended Petition was supplemented by certain information provided in Midwest Generation, LLC's ("MWGen") Amended Petition for Time-Limited Water Quality Standard for temperature ("MWGen Amended Petition") filed with the Board in PCB No. 16-19 on June 27, 2018, which provided information that is commonly applicable to dischargers that may be covered by this temperature multi-discharger TLWQS. The Amended Petition provided Petitioner's discharger-specific information required for coverage under the temperature multi-discharger TLWQS and, where appropriate, referenced and incorporated required information provided in the MWGen Amended Petition.

3. On February 4, 2019, Petitioner filed its Motion for Substitution of Parties, seeking to substitute INEOS Joliet, LLC as the Petitioner. That motion remains pending.

4. The Board has not yet decided whether Petitioner's Amended Petition is in substantial compliance. *See* Hearing Officer Order of November 20, 2018; 35 ILL. ADM. CODE 104.545.

5. On January 25, 2019, MWGen filed in PCB No. 16-19 a Motion for Leave to Amend its Petition for Time-Limited Water Quality Standard. Petitioner's Motion for Leave to Amend Its Petition for Time-Limited Water Quality Standard, PCB 16-19 (Ill.Pol.Control.Bd. Jan. 25, 2019). In this motion, MWGen requested the Board to grant it leave to amend its petition to address certain areas of interest by the United States Environmental Protection Agency ("U.S. EPA"). *Id.* at 2-3. MWGen further stated: "If the Board has begun reviewing the current petition for substantial compliance under 35 ILL. ADM. CODE 104.545, MWGen respectfully requests that the Board suspend review so that MWGen, IEPA, and U.S. EPA can conclude their discussions and the amendments can be presented for the Board's review and consideration." *Id.* at 3.

6. The relief requested by Petitioner in this matter is dependent upon the information contained in MWGen's petition and the relief granted to MWGen by the Board in PCB No. 16-19. Petitioner therefore respectfully requests the Board to grant it leave to amend its Amended Petition after MWGen has amended its petition so that Petitioner can incorporate, as appropriate, the additional and new information provided by MWGen. Further, as requested by MWGen, if the Board has begun reviewing the current Amended Petition for substantial compliance, Petitioner respectfully requests that the Board suspend review until after the Amended Petition

has been amended so that the amendments can be considered by the Board prior to assessing substantial compliance.

7. Counsel for Petitioner has conferred with Illinois EPA and Illinois EPA has advised that it has no objection to the relief requested in this motion.

WHEREFORE, Petitioner, INEOS Joliet, LLC, respectfully requests that the Illinois Pollution Control Board grant this Motion for Leave to Amend its Petition for Time-Limited Water Quality Standard.

Respectfully submitted,

INEOS JOLIET, LLC, Petitioner,

Dated: April 1, 2019

By: /s/ Michael P. Murphy  
Michael P. Murphy

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