

ILLINOIS POLLUTION CONTROL BOARD
November 21, 2024

ARCHER DANIELS MIDLAND)
COMPANY,)
)
Petitioner,)
)
v.) PCB 25-6
) (Permit Appeal – Water, NPDES)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.

ORDER OF THE BOARD (by J. A. Van Wie):

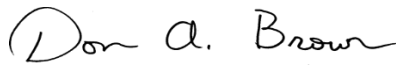
On August 22, 2024, the Board granted a request by Archer Daniels Midland Company (ADM) to extend to October 9, 2024, the deadline for ADM to appeal a July 11, 2024, determination by the Illinois Environmental Protection Agency (IEPA). IEPA issued a National Pollutant Discharge Elimination System (NPDES) permit for ADM’s North Water Treatment Plant in Macon County. *See* 415 ILCS 5/40(a)(1) (2022); 35 Ill. Adm. Code 101.300(b), 105.206(c), 105.208(a), (c).

On October 1, 2024, ADM filed a request for an additional extension of the appeal period. On October 17, 2024, the Board noted that its procedural rules do not provide it authority to extend an appeal deadline once the initial 35-day appeal period has passed. Archer Daniels Midland Company v. IEPA, PCB 25-6, slip op. at 1-2 (Oct. 17, 2024), citing 35 Ill. Adm. Code 105.208. However, the Board construed ADM’s request as a timely petition for review and directed ADM to file an amended petition for review by November 14, 2024. Archer Daniels Midland Company v. IEPA, PCB 25-6, slip op. at 2 (Oct. 17, 2024), citing IMTT Illinois, LLC v. IEPA, PCB 20-47 (Feb. 20, 2020).

On November 13, 2024, ADM filed a voluntary motion to dismiss (Mot.). The motion states that ADM “has decided not to pursue a NPDES appeal” and requests that the Board “dismiss this matter and close the docket.” Mot. at 1. The Board grants the motion, dismisses the case, and closes the docket.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on November 21, 2024, by a vote of 4-0.



Don A. Brown, Clerk
Illinois Pollution Control Board