

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BP PRODUCTS NORTH AMERICA, INC.,)	
Petitioner,)	
)	
v.)	PCB 25-
)	(RCRA – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION)	Extension)
AGENCY,)	
Respondent.)	

NOTICE

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

BP Products North America, Inc.
Attn: Michelle Knapp
301 Evans Avenue, P.O. Box 167
Wood River, IL 62095

Alexander Bandza, Partner
Barnes & Thornburg
One North Wacker Drive
Suite 4400
Chicago, IL 60606
ABandza@btlaw.com

PLEASE TAKE NOTICE that I have today caused to be filed a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A. Jarvis
Deputy Chief Counsel – Land Enforcement
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
melanie.jarvis@illinois.gov
Dated: May 13, 2025

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

BP PRODUCTS NORTH AMERICA, INC.,)	
Petitioner,)	
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)	(RCRA – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION)	Extension)
AGENCY,)	
Respondent.)	

**REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD**

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, Melanie A. Jarvis, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to September 7, 2025, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On or about April 29, 2025, the Illinois EPA issued a final decision to the Petitioner.
2. On May 12, 2025, the Petitioner made a written request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five-day period for filing a petition by ninety days. Upon information and belief, Petitioner received the final decision on or about May 5, 2025.

3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five-day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A Jarvis
Deputy Chief Counsel – Land Enforcement
1021 North Grand Avenue, East
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
866/273-5488 (TDD)
melanie.jarvis@illinois.gov
Dated: May 13, 2025

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on May 13, 2025, I served true and correct copies of a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** by the method(s) and to the persons identified below:

Electronic Service

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

Alexander Bandza, Partner
Barnes & Thornburg
One North Wacker Drive
Suite 4400
Chicago, IL 60606
ABandza@btlaw.com

US Postal Service

BP Products North America, Inc.
Attn: Michelle Knapp
301 Evans Avenue, P.O. Box 167
Wood River, IL 62095

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A. Jarvis
Deputy Chief Counsel – Land Enforcement
Division of Legal Counsel
1021 North Grand Avenue East
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Springfield, Illinois 62794-9276
217/782-5544
866/273-5488 (TDD)
melanie.jarvis@illinois.gov

From: [Bandza, Alexander](#)
To: [Jarvis, Melanie](#)
Subject: [External] ILD980700967 // Log No. B-147R2 // Request for Appeal Extension
Date: Monday, May 12, 2025 1:57:04 PM
Attachments: [image001.png](#)
[ILD980700967 2025-04-29 Illinois EPA.pdf](#)

**Re: 1191150001 -- Madison County
BP Products North American Inc./Main Plant
ILD980700967
Log No. B-147R2
RCRA Administrative Record - 24D
Permit Approval**

Ms. Jarvis:

By way of overview, I represent BP Products North America Inc. ("BPPNA") with respect to the above-captioned RCRA permit. (The cover page from Illinois EPA is attached as well.) The above-captioned RCRA permit was issued on April 29, 2025. I am requesting an extension of 90 days of the appeal period pursuant to 415 ILCS 5/40, 35 IAC 705.101(c), and 35 IAC 105.208(a). Such an extension would allow BPPNA to take an appeal up to and including **September 1, 2025**.

BPPNA would appreciate your concurrence via reply email so that it may file this correspondence with the Illinois Pollution Control Board to seek to grant such an extension. Thank you and please feel free to contact me at any time.

Best regards,
Alex

Alexander Bandza
Partner
Direct: (312) 214-5633 | Mobile: (708) 404-7061
ABandza@btlaw.com
[Bio](#) [LinkedIn](#) [vCard](#)



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ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

2520 WEST ILES AVENUE, P.O. BOX 19276, SPRINGFIELD, ILLINOIS 62794-9276 • (217) 782-3397

JB PRITZKER, GOVERNOR

JAMES JENNINGS, ACTING DIRECTOR

217/524-3301

APR 29 2025

Certified Mail

Return Receipt Requested

9589 0710 5270 0389 7040 84

BP Products North America, Inc.
Attn: Ms. Michelle Knapp
Liability Manager
301 Evans Avenue
P.O. Box 167
Wood River, Illinois 62095

Re: 1191150001 -- Madison County
BP Products North American Inc./Main Plant
ILD980700967
Log No. B-147R2
RCRA Administrative Record – 24D
Permit Approval

Dear Ms. Knapp:

Enclosed is a final Resource Conservation and Recovery Act (RCRA) corrective action permit. The final permit decision is based on the administrative record contained in the Illinois EPA's files. The contents of the administrative record are described in Title 35 Illinois Administrative Code (IAC) 705.211.

Please read the permit carefully. Failure to meet any portion of the permit could result in civil and/or criminal penalties. The only comments received on the draft RCRA corrective action permit were from BP Products North American Inc./Main Plant (BP). The Illinois EPA's responses to BP's comments are attached to this letter.

This action shall constitute the Illinois EPA's final action on the subject submittal. The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Environment Protection Act (Act) by filing a petition for a hearing within 35 days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible.

2125 S. First Street, Champaign, IL 61820 (217) 278-5800
115 S. LaSalle Street, Suite 2203, Chicago, IL 60603
1101 Eastport Plaza Dr., Suite 100, Collinsville, IL 62234 (618) 346-5120
9511 Harrison Street, Des Plaines, IL 60016 (847) 294-4000

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2309 W. Main Street, Suite 116, Marion, IL 62959 (618) 993-7200
412 SW Washington Street, Suite D, Peoria, IL 61602 (309) 671-3022
4302 N. Main Street, Rockford, IL 61103 (815) 987-7760

1191150001 – BP Main Plant

Log No. B-147R2

Page 2

For information regarding the request for an extension, please contact:

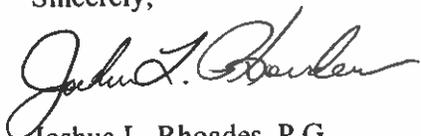
Illinois Environmental Protection Agency
Division of Legal Counsel
2520 West Iles Avenue
Post Office Box 19276
Springfield, IL 62794-9276
217/782 5544

For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605-1241
312/814-3620

For questions regarding the groundwater portions of the permit, contact Shawntay Dial by phone at 217/558-0177 or by email at Shawntay.Dial@Illinois.gov. For all other questions concerning this permit, please contact Omar Faruk, E.I.T by phone at 217/557-9764 or by email at Omar.Faruk@illinois.gov.

Sincerely,



Joshua L. Rhoades, P.G.
Permit Section Manager
Bureau of Land

JLR:OF:1191150001-RCRA-B147R2-Approval.docx
OF TNH AMB SDD

- Attachments: 1. Illinois EPA's Response to Comments
2. RCRA Corrective Action Permit

cc: Norberto Gonzalez, U.S. EPA – Region V
Emily Keener, U.S. EPA – Region V
Michelle Knapp, BP Products North America, Inc
Michael Hoffman, WSP USA Environment & Infrastructure, Inc
Starlet S. Wright, Sovereign Consulting, Inc.