

ILLINOIS POLLUTION CONTROL BOARD

June 20, 2002

IN THE MATTER OF:)
)
PETITION OF NOVEON, INC.) AS 02-5
FOR AN ADJUSTED STANDARD) (NPDES - Water)
FROM 35 Ill. Adm. Code 304.122)

ORDER OF THE BOARD (by M.E. Tristano):

On May 22, 2002, Noveon, Inc. f/k/a The BFGoodrich Company (“Noveon”) filed a petition for an adjusted standard pursuant to Section 28.1 of the Illinois Environmental Protection Act (Act) 415 ILCS 5/28.1 (2000).

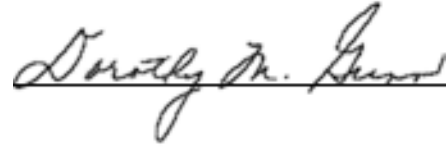
Noveon requests that the Board grant an adjusted standard from 35 Ill. Adm. Code 304.122(b) for the effluent from Noveon’s facility located in Henry, Marshall County, Illinois. Noveon’s requested relief applies to its discharge of wastewater containing ammonia nitrogen to the Illinois River. In lieu of the ammonia effluent standard in 35 Ill. Adm. Code 304.122(b), Noveon proposes one of the following alternatives as the adjusted standard: (1) Noveon shall not discharge calculated unionized ammonia at concentrations greater than 3.5 mg/l during the months of April through October and 7.9 mg/l during the months of November through March from its Henry, Illinois plant into the Illinois River; or (2) the Noveon Henry Plant shall limit its total ammonia nitrogen discharge to 1200 pounds per day during the months of November through March or (3) Noveon shall not discharge total ammonia nitrogen at concentrations greater than 155 mg/l during the months of April through October and 225 mg/l during the months of November through March from its Henry, Illinois plant into the Illinois River.

Section 28.1 of the Act (415 ILCS 5/28.1 (2000)) and 35 Ill. Adm. Code 104.408 require that notice of an adjusted standard proceeding be published in a newspaper of general circulation in the area affected by the petitioner’s activity. The notice must be published within 14 days of the filing of the petition. See 35 Ill. Adm. Code 104.408(a). On June 11, 2002, Noveon filed a “Certificate of Publications” indicating the notice of its petition was published in *The Henry News Republican* on May 29, 2002. The notice satisfies the requirements of Section 28.1 of the Act (415 ILCS 5/28.1 (2000)) and 35 Ill. Adm. Code 104.408 and 104.410.

The Board finds that the petition satisfies the information sufficiency requirements of 35 Ill. Adm. Code 104.406, 104.426 and 720.131(c). Accordingly, the Board accepts this matter for hearing.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Board, certify that the Board adopted the above order on June 20, 2002, by a vote of 7-0.

A handwritten signature in cursive script, reading "Dorothy M. Gunn", written over a horizontal line.

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board