

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter of:

AMENDMENTS TO 35 ILL. ADM. CODE
PARTS 201, 202, AND 212

)
)
)
)
)
)
)
)
)
)
)

R23-018(A)
(Rulemaking – Air)

NOTICE OF FILING

To: Attached Service List

PLEASE TAKE NOTICE that today I have electronically filed with the Office of the Clerk of the Illinois Pollution Control Board **EAST DUBUQUE NITROGEN FERTILIZERS, LLC'S MOTION TO CORRECT TRANSCRIPT OF FIRST PUBLIC HEARING** and a **CERTIFICATE OF SERVICE**, which are attached and copies of which are herewith served upon you.

Dated: November 15, 2023

Respectfully submitted,

/s/ John M. Heyde
East Dubuque Nitrogen Fertilizers, LLC
By One of Its Attorneys

Byron F. Taylor
John M. Heyde
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
(312) 853-7000
bftaylor@sidley.com
jheyde@sidley.com

R23-018(A)
(Rulemaking – Air)

- Replace “Crnkovich” with “Crnkovich” in the following locations: page 2, line 12; page 78, line 3; page 78, line 8; page 78, line 13; page 79, line 24; page 81, line 16; page 82, line 16; page 82, line 23; page 83, line 22; page 84, line 13; page 85, line 5; page 85, line 17; page 86, line 7; page 87, line 1; page 87, line 12; page 88, line 16; page 89, line 8; page 90, line 10; page 91, line 9; page 91, line 16; and page 92, line 6

- On page 78, line 14, replace “and Dubuque Fertilizers” with “and East Dubuque Nitrogen Fertilizers”
- On page 78, line 17, replace “as a thread” with “as if read”
- On page 80, line 3, replace “that it does not have” with “that does not have”
- On page 80, line 6, replace “during operating periods” with “during all operating periods”
- On page 80, line 13, replace “destroys the nit” with “destroys the NOx”
- On page 84, line 19, replace “we start it up” with “we start up”
- On page 85, line 19, replace “SIMS” with “CEMS”
- On page 87, lines 14-15, replace “Florida as director of institute approval” with “Florida DEP received approval”
- On page 89, line 15, replace “flue gas screen” with “flue gas stream”
- On page 89, line 16, replace “normal operation can be” with “normal operation and that can be”
- On page 90, line 17, replace “insurances” with “assurances”

WHEREFORE, for the reasons stated above, EDNF requests that the Hearing Officer direct the court reporter to correct the September 27 public hearing transcript and resubmit the correct transcript.

Dated: November 15, 2023

Respectfully submitted,

/s/ John M. Heyde
East Dubuque Nitrogen Fertilizers, LLC
By One of Its Attorneys

Byron F. Taylor
John M. Heyde

SIDLEY AUSTIN LLP

One South Dearborn

Chicago, IL 60603

(312) 853-7000

bftaylor@sidley.com

jheyde@sidley.com

CERTIFICATE OF SERVICE

I, the undersigned, on affirmation, state that I have served the attached **East Dubuque Nitrogen Fertilizers, LLC's Motion to Correct Transcript of First Public Hearing** by email on the following:

<p>Illinois Pollution Control Board Don Brown - Clerk of the Board don.brown@illinois.gov 100 W. Randolph St., Suite 11-500 Chicago, IL 60601</p> <p>Timothy Fox – Hearing Officer Tim.Fox@illinois.gov Chloe Salk – Hearing Officer Chloe.Salk@illinois.gov 60 E. Van Buren St., Suite 630 Chicago, IL 60605</p>	<p>Office of the Attorney General Jason E. James - Assistant Attorney General Jason.James@ilag.gov 201 West Point Drive, Suite 7 Belleville, IL 62226</p> <p>Molly Kordas - Assistant Attorney General Molly.Kordas@ilag.gov Ann Marie A. Hanohano - Assistant Attorney General annmarie.hanohano@ilag.gov 69 West Washington Street, Suite 1800 Chicago, IL 60602</p>
<p>Illinois Environmental Protection Agency Charles E. Matoesian – Assistant Counsel charles.matoesian@illinois.gov Dana Vetterhoffer - Assistant Counsel dana.vetterhoffer@illinois.gov 1021 North Grand Avenue East P.O. Box 19276 Springfield, IL 62794</p>	<p>Illinois Department of Natural Resources Renee Snow - General Counsel renee.snow@illinois.gov One Natural Resources Way Springfield, IL 62702-1271</p>
<p>ArentFox Schiff LLP Joshua R. More Joshua.More@afslaw.com Amy Antonioli Amy.antonioli@afslaw.com David M. Loring dloring@schiffhardin.com Samuel A. Rasche Sam.Rasche@afslaw.com 233 South Wacker Drive Suite 6600 Chicago, IL 60606</p> <p>Andrew N. Sawula Andrew.Sawula@afslaw.com One Westminster Place, Suite 200 Lake Forest, IL 60045</p>	<p>USEPA - Region 5 Michael Leslie leslie.michael@epa.gov Ralph H. Metcalfe Federal Building 77 West Jackson Blvd. Chicago, IL 60604</p>

HeplerBroom LLC Melissa S. Brown Melissa.brown@heplerbroom.com Alec Messina Alec.Messina@heplerbroom.com 4340 Acer Grove Drive Springfield, IL 62711	Faith Bugel fbugel@gmail.com 1004 Mohawk Rd. Wilmette, IL 60091
Environmental Law and Policy Center Cantrell Jones CJones@elpc.org 35 E. Wacker Drive, Suite 1600 Chicago, IL 60601	Greater Chicago Legal Clinic, Inc. Keith I. Harley kharley@kentlaw.edu 211 West Wacker Drive, Suite 750 Chicago, IL 60606
McDermott, Will & Emery Mark A. Bilut mbilut@mwe.com 227 West Monroe Street Chicago, IL 60606-5096	IERG Kelly Thompson - Executive Director kthompson@ierg.org 215 E. Adams St. Springfield, IL 62701

I further state that my email address is as stated in the signature block below, that the number of pages in this email transmission is six and that the email transmission took place before 5 p.m. on November 15, 2023.

Dated: November 15, 2023

Respectfully submitted,

/s/ John M. Heyde
East Dubuque Nitrogen Fertilizers, LLC
By One of Its Attorneys

Byron F. Taylor
John M. Heyde
SIDLEY AUSTIN LLP
One South Dearborn
Chicago, IL 60603
(312) 853-7000
bftaylor@sidley.com
jheyde@sidley.com