

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
RCRA DELISTING ADJUSTED)	AS 2025-001
STANDARD PETITION OF)	(Adjusted Standard – Land)
EXXONMOBIL OIL CORPORATION)	(RCRA Delisting)
)	

NOTICE OF FILING

To:	Eric E. Boyd	Bradley Halloran
	Edward A. Cohen	Hearing Officer
	Timothy B. Briscoe	Illinois Pollution Control Board
	55 East Monroe Street	60 E Van Buren Street
	Chicago, Illinois 60603	Suite 630
		Chicago, Illinois 60605

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board the RECOMMENDATION OF THE ILLINOIS EPA and APPEARANCE, a copy of which is served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,



e-signature valid for IPCB e-filings ONLY

Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
2520 West Iles Avenue
P.O. Box 19276
Springfield, Illinois 62794-9276
(217) 782-5544
michelle.ryan@illinois.gov

Dated: June 9, 2025

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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EXXONMOBIL OIL CORPORATION)	(RCRA Delisting)
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RECOMMENDATION OF THE ILLINOIS EPA

Now comes the Illinois Environmental Protection Agency (“Illinois EPA”) by its attorney, Michelle M. Ryan, and pursuant to 35 Ill. Adm. Code 104.416 provides this Recommendation to the Petition for Adjusted Standard filed in this cause on April 25, 2025. For the reasons that follow, Illinois EPA recommends that the adjusted standard petition be granted with the conditions specified below.

I. BACKGROUND

ExxonMobil Oil Corporation (“Exxon”) is the owner/operator of a refinery located at 25915 South Frontage Road in Channahon, Will County, Illinois, known as the Joliet Refinery (“Site”). Exxon seeks an adjusted standard RCRA delisting for several Primary Treatment Solids (“PTS”) generated at the Site, which are currently classified as listed hazardous wastes pursuant to 35 Ill. Adm. Code 721.131 (F037, F038) and 721.132 (K048, K051).

II. SECTION 104.406 FACTORS

A. Section 104.406(a) – Standards from which adjusted standard is sought

The Illinois EPA does not take issue with Exxon’s statements on this subject.

B. Section 104.406(b) – Promulgation of regulation of general applicability

The Illinois EPA does not take issue with Exxon's statements on this subject.

C. Section 104.406(c) – Level of Justification

The Illinois EPA does not take issue with Exxon's statements on this subject.

D. Section 104.406(d) – Petitioner's Activity

The Illinois EPA does not take issue with Exxon's statements on this subject.

E. Section 104.406(e) – Efforts necessary to comply

The Illinois EPA does not take issue with Exxon's statements on this subject.

F. Section 104.406(f) – Proposed Adjusted Standard

The Illinois EPA agrees with the requirement in the proposed adjusted standard for quarterly sampling and verification sampling, as needed, for the five constituents for which the wastes were listed as hazardous and for characteristics (F.1.b.1.). Illinois EPA recommends the additional reporting, notice, and sampling requirements to ensure the waste is properly managed. Illinois EPA notes that the reporting of sampling data is limited to a semi-annual report (F.1.d.2 and F.2.). Illinois EPA is concerned that this limitation could result incorrectly classified wastes sitting in a non-hazardous waste landfill for several months before the issue is identified. Illinois EPA recommends that all quarterly sampling data and any verification data also be submitted to Illinois EPA as a condition of the adjusted standard. In addition, Illinois EPA recommends that Exxon be required to give notice to Illinois EPA upon a confirmed exceedance of the delisting level within seven (7) days of receipt of such results. Finally, Illinois EPA notes that the land disposal restrictions of 35 Ill. Adm. Code Part 728 would not be applicable to waste that meets the proposed delisting levels, however, this Part contains a total of sixteen (16) other constituents

that are of noted concern for petroleum refinery waste designated by hazardous waste codes F037, F038, K048, and K051.¹ While Illinois EPA recognizes that the previous sampling did not show these additional contaminants to be present in significant quantities, Illinois EPA is concerned that variations in raw materials or changes in process could result in one or more of these constituents carrying through to the PTS waste. Therefore, Illinois EPA recommends the additional condition of annual sampling for those constituents listed under hazardous waste codes F037, F038, K048, and K051 in 35 Ill. Adm. Code Part 728. Table T that are not already being sampled quarterly.

G. Section 104.406(g) – Quantitative and Qualitative impact on the environment

The Illinois EPA does not take issue with Exxon's statements on this subject.

H. Section 104.406(h) – Justification for the proposed adjusted standard

The Illinois EPA does not take issue with Exxon's statements on this subject.

I. Section 104.406(i) – Consistency with Federal Law

The Illinois EPA does not take issue with Exxon's statements on this subject.

J. Section 104.406(j) – Hearing

The Illinois EPA does not request a hearing on this matter. If the Board schedules a hearing, the Illinois EPA intends to participate.

K. Section 104.406(k) – Supporting documents or legal authorities

The Illinois EPA does not take issue with Exxon's statements on this subject.

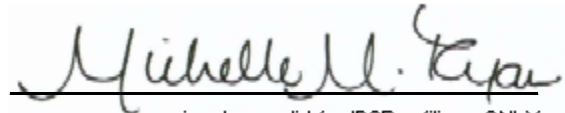
¹ This includes: acenaphthene, anthracene, benz(a)anthracene, bi(2-ethyl hexyl)phthalate, chrysene, di-n-butyl-phthalate, ethylbenzene, flourene, naphthalene, phenanthrene, phenol, pyrene, toluene, xylenes, cyanides, nickel. 35 Ill. Adm. Code Part 728. Table T.

III. CONCLUSION

WHEREFORE the Illinois EPA recommends that the adjusted standard be GRANTED with the additional conditions noted herein.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,



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Michelle M. Ryan
Assistant Counsel

Illinois Environmental Protection Agency
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Springfield, Illinois 62794-9276
(217) 782-5544

Dated: June 9, 2025

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ENTRY OF APPEARANCE

The undersigned hereby enters her appearance in the above-captioned matter as counsel
for the Illinois Environmental Protection Agency.

Respectfully submitted,



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Michelle M. Ryan
Assistant Counsel

DATED: June 9, 2025

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PROOF OF SERVICE

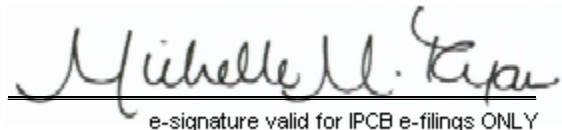
I hereby certify that I did on the 9th day of June, 2025, send by electronic mail a true and correct copy of the following instrument(s) entitled RECOMMENDATION OF THE ILLINOIS EPA and APPEARANCE

To: Eric E. Boyd
Edward A. Cohen
Timothy B. Briscoe
55 East Monroe Street
Chicago, Illinois 60603
eboyd@thompsoncoburn.com
ecohen@thompsoncoburn.com
tbriscoe@thompsoncoburn.com

Bradley Halloran
Hearing Officer
Illinois Pollution Control Board
60 East Van Buren Street
Suite 630
Chicago, Illinois 60605
brad.halloran@illinois.gov

and an electronic copy of the same foregoing instrument on the same date via electronic filing

To: Don Brown, Clerk
Pollution Control Board
60 East Van Buren Street
Suite 630
Chicago, Illinois 60605



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Michelle M. Ryan
Assistant Counsel

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