

ILLINOIS POLLUTION CONTROL BOARD
April 2, 2026

IN THE MATTER OF)
)
PETITION OF CITGO PETROLEUM) AS 26-1
CORPORATION FOR AN ADJUSTED) (Adjusted Standard - Air)
STANDARD FROM 35 ILL. ADM. CODE)
216.121)

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

On September 10, 2025, CITGO Petroleum Corporation (CITGO) filed a petition (Pet.) under Section 28.1 of the Environmental Protection Act (Act) and Part 104 of the Board’s procedural rules. See 415 ILCS 5/28.1 (2024); 35 Ill. Adm. Code 104.Subpart D. CITGO petitions the Board for an adjusted standard from 35 Ill. Adm. Code 216.121. Specifically, CITGO seeks an adjusted standard from the carbon monoxide (CO) emissions standard applicable to fuel combustion sources at its petroleum refinery in Lemont, Will County. CITGO seeks the adjusted standard to allow compliance with an alternative emission limitation (AEL) during periods of startup and shutdown for specified emission sources at its refinery.

Section 28.1 of the Act and Section 104.408 of the Board’s procedural rules require publication of notice of an adjusted standard proceeding in a newspaper of general circulation in the area affected by the petitioner’s activity. 415 ILCS 5/28.1(d)(1) (2024); 35 Ill. Adm. Code 104.408(a). Notice must be published within 14 days of filing a petition for an adjusted standard with the Board. 35 Ill. Adm. Code 104.408(a). As required by 35 Ill. Adm. Code 104.410, CITGO timely filed a certificate of publication of notice of its petition on September 24, 2025. CITGO published notice of filing in *The Herald-News* of Joliet on September 13, 2025.

On October 2, 2025, the Board found that the petition and notice met the requirements of Section 28.1 of the Act and Sections 104.408 and 104.410 of the Board’s procedural rules and accepted the petition for an adjusted standard. See 415 ILCS 5/28.1 (2024); 35 Ill. Adm. Code 104.408, 104.410. On October 27, 2025, the Illinois Environmental Protection Agency (IEPA or Agency) filed its recommendation. See 35 Ill. Adm. Code 104.416(a). On November 4, 2025, CITGO filed its response to the Agency’s recommendation. See 35 Ill. Adm. Code 104.416(d).

CITGO states that it “does not request a hearing on the Petition.” Pet. at 35. However, the Board is required to hold a hearing when any person timely requests a hearing. See 415 ILCS 5/28.1(d)(2) (2024). Because CITGO published notice of filing on September 13, 2025, any request for a hearing was due to be filed by Monday, October 6, 2025. However, “the Board in its discretion” may determine “that a hearing would be advisable”. 415 ILCS 5/28.1(d)(2) (2024); 35 Ill. Adm. Code 104.422(a)(3), 104.424.

As of the date of this order, the Board has received numerous public comments from citizens in the Lemont area opposing the petition and expressing concern that the publication of notice for this petition in *The Herald News* was insufficient to provide local affected residents

adequate notice, and stating they had only recently become aware of the petition. *See In the Matter of CITGO Petroleum Corporation Petition for Adjusted Standard* from 35 Ill. Adm. Code 216.121, AS 26-1, Public Comment (PC) #1-33 (available on the Board's website via the Clerk's Office On-Line). Several of the public comments also expressed the concern that they missed the opportunity to request or participate in a hearing on the petition. *See, e.g., PC #1, 2, 3, 14, 33.*

The proof of petition notice filed with the Board on September 24, 2025 (Not.) states, “[t]he *Herald-News* is a newspaper published in Joliet, Illinois that is in general circulation throughout Will County and the surrounding areas, including near Lemont, Illinois where CITGO's refinery is located.” Not. at 1; Not., Exh. A. The Board has found in multiple cases that publication of notice in *The Herald-News* for adjusted standard petitions for facilities in Will County does satisfy the requirements of Section 28.1 of the Act and 104.408 of the Board's rules. *See, e.g., In the Matter of RCRA Delisting Adjusted Standard Petition of ExxonMobil Corporation*, AS 25-1. Nonetheless, the Board recognizes the clear concerns of several Lemont-area residents that they did not, in fact, receive the newspaper notice of and therefore missed the opportunity to request a hearing on CITGO's petition during the statutory timeframe.

Considering the recent public comments from affected area residents, the Board in its discretion finds that a hearing on CITGO's petition would be advisable. *See* 415 ILCS 5/28.1(d)(2) (2024); 35 Ill. Adm. Code 104.422(a)(3), 104.424. The Board directs the hearing officer to proceed to hearing.

IT IS SO ORDERED.

I, Don A. Brown, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on April 2, 2026, by a vote of 5-0.



Don A. Brown, Clerk
Illinois Pollution Control Board