



401 S. Spring Street  
William Stratton Building  
Suite 515  
Springfield, IL 62706

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EEC Case #: 22-EEC-001

Posted: 07/23/2021

Removed:

Attached is an appeal of a revolving door determination for public comment. In order to ensure full Commission consideration, all public comments should be received no later than **Wednesday, July 28, 2021.**

The Commission encourages email comments due to the impacts of COVID-19. Comments may be sent via email to:

[EEC.CMS@illinois.gov](mailto:EEC.CMS@illinois.gov)

Written comments may be forwarded to the Commission for consideration by mail to:

Executive Ethics Commission  
401 S. Spring St.  
William Stratton Building, Room 513  
Springfield, IL 62706

For more information, inquire within, email your request to the address given above, or visit the EEC's website at <https://www2.illinois.gov/eec/Pages/default.aspx>.



OFFICE OF EXECUTIVE INSPECTOR GENERAL  
FOR THE AGENCIES OF THE ILLINOIS GOVERNOR

69 WEST WASHINGTON STREET, SUITE 3400  
CHICAGO, ILLINOIS 60602  
(312) 814-5600

July 15, 2021

Via email to: [REDACTED]; [seth.slaughter@illinois.gov](mailto:seth.slaughter@illinois.gov)

Seth Slaughter  
[REDACTED]

**Re: Restricted Revolving Door Determination**

Dear Seth Slaughter:

The Office of Executive Inspector General for the Agencies of the Illinois Governor (OEIG) has reviewed your revolving door notification submission for Caterpillar, Inc. (Caterpillar) and has determined under 5 ILCS 430/5-45(f) that you are *restricted* from accepting the employment opportunity described in your materials. 5 ILCS 430/5-45(b) provides:

No former officer of the executive branch or State employee of the executive branch with regulatory or licensing authority, or spouse or immediate family member living with such person, shall, within a period of one year immediately after termination of State employment, knowingly accept employment or receive compensation or fees for services from a person or entity if the officer or State employee, during the year immediately preceding termination of State employment, *participated personally and substantially in making a regulatory or licensing decision that directly applied to the person or entity, or its parent or subsidiary.* (Emphasis added.)

The basis for this determination is your personal and substantial participation in the following regulatory decision that directly applied to Advanced Tri-Gen Power Systems, which is a subsidiary of Caterpillar, in the year immediately preceding the termination of your State employment: a Clean Air Act Permit Program Permit renewal issued on June 25, 2021.

Under Section 5-45 of the State Officials and Employees Ethics Act, this determination by the OEIG may be appealed to the Executive Ethics Commission by yourself or the Office of the Attorney General of Illinois within ten (10) calendar days of the date of this letter.

Thank you for your cooperation. If you have any questions regarding this matter or otherwise require further assistance, please do not hesitate to contact Deputy Inspector General Antoinette Kwateng at 312-814-8321.

Sincerely,

Susan M. Haling  
Executive Inspector General



By: \_\_\_\_\_  
Neil P. Olson  
General Counsel

c: File

Executive Ethics Commission – Michelle Casey, Executive Director (via email) and Alexa Elam (via email)  
Office of the Governor – Governor JB Pritzker c/o Whitney Rosen, Deputy General Counsel (via e-mail)  
Office of the Illinois Attorney General (via e-mail) – Brent Stratton, Chief Deputy Attorney General;  
Roger Flahaven, Deputy Attorney General, Civil Litigation; Special Litigation Unit –  
Neil MacDonald, Harpreet Khera, John DiDomenico & Carolyn Swain

## VERIFICATION

Under penalties as provided by law pursuant to Section 1-109 of the Code of Civil Procedure, the undersigned certifies that the statements set forth in the attached instrument are true and correct, except as to matters therein stated to be on information and belief and as to such matters as the undersigned certifies as aforesaid that he/she verily believes the same to be true.

[REDACTED]

DATED: 7/22/2021

I would like to appeal the OEIG's determination that I am restricted from working at Caterpillar. The attached file states that I:

***participated personally and substantially in making a regulatory or licensing decision that directly applied to the person or entity, or its parent or subsidiary.***

However, analyzing the licensing/regulatory process it is clear that the CAAPP unit team leader Ross Cooper, and supervisor Mike Reed personally made all substantial regulatory and/or licensing decisions while working on the Advanced Tri-Gen Title V permit renewal.

First, in processing the draft Title V permit renewal, my role in the decision-making process was very limited. That role was primarily to collect the various requirements from various construction permits and state and federal regulations, and make sure they were included in the Title V operating permit. In the following example, the pivotal decision that was made was determining the value of emissions limit. The determination of 9.9 tons/year was made by the construction group in 1999 and can be found in Construction Permit #99100102. I was not involved in the decision, nor do I have the authority to modify the determination made by the construction group.

Pursuant to Construction Permit #99100102, Boiler-1 shall not have emissions that exceed the following limit: [T1]

Pollutant	Emissions (Tons/Year)
PM	9.9

Additionally, I would look up the appropriate federal and state gas turbine rules and then cut and paste the rule into the Title V permit. In this example, the rule 40 CFR 60.333(a) was created by the federal

government and I was gathering this and other regulations together into one Title V operating permit, not making any regulatory or licensing decisions.

Pursuant to 40 CFR 60.333(a), the Permittee shall not cause to be discharged into the atmosphere from any stationary gas turbine any gases which contain sulfur dioxide in excess of 0.015 percent by volume at 15 percent oxygen and on a dry basis.

Furthermore, my work on this and all permits, has been closely reviewed and supervised. Upon getting my initial draft as ready as I could, I then emailed the permit to my team leader, Roston Cooper who has over 20 years of experience writing permits. Ross and I would then sit down at our computers, using Webex and go through the permit together, Ross would be making changes and adding notes during the review. Each review usually lasted about 2-3 hours and at the end of each review session Ross would email the permit back to me. I would then make the noted changes and email it back to Ross for further review. This would go on as many times as necessary until I received Ross's approval to send it to the source. Due to the nature of the communication, all draft versions can be easily tracked through the email history, so this process is easily verifiable. The approved draft then went to the source who was given 3 weeks to review and comment. In this case there were only comments from the source responding to questions we had embedded in the draft, and hence, no additional interaction between me and the source. As such, it was reviewed again, cleaned up and submitted for public and USEPA notice. The public has 30 days to comment, while the USEPA has 45 days. There were no comments from the public or USEPA, and thus, no modification by me in reaction to any comment was possible. Finally, the permit was given to the section manager for final review and signoff, with practically no modifications made by me through the final review process.

As can be seen, though I may have been a part of the review team, I made no substantive decisions regarding licenses or regulations affecting Caterpillar or any of its subsidiaries. I assisted in assembly and analysis of necessary information on permits and regulations, but at no time did I make any significant decisions on whether a permit be granted or a regulation be issued.