

FEB 10 2004

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **STATE OF ILLINOIS**  
Pollution Control Board

THE PREMCOR REFINING	)	
GROUP INC.,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB No. 04-66
	)	(RCRA Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

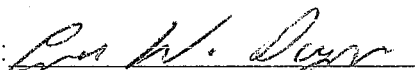
TO: Ms. Dorothy M. Gunn	Carol Sudman, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9276
<b>(VIA FIRST CLASS MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board an original and nine copies of Petitioner The Premcor Refining Group Inc.'s, **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL NINETY DAYS**, copies of which are hereby served upon you.

Respectfully submitted,

THE PREMCOR REFINING  
GROUP INC.,  
Petitioner,

Dated: February 6, 2004

By:   
Edward W. Dwyer

Edward W. Dwyer  
HODGE DWYER ZEMAN  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

**CERTIFICATE OF SERVICE**


I, Edward W. Dwyer, the undersigned, certify that I have served the attached  
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL  
NINETY DAYS, upon:

Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

Carol Sudman, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, Illinois 62794-9274

John J. Kim, Esq.  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois, on February 6, 2004.

  
Edward W. Dwyer

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STATE OF ILLINOIS  
Pollution Control Board

THE PREMCOR REFINING )  
GROUP INC., )  
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Petitioner, )  
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v. )  
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ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent. )

PCB No. 04-66  
(RCRA Permit Appeal)

**NOTICE OF WAIVER OF 120-DAY  
DECISION DEADLINE FOR AN ADDITIONAL NINETY DAYS**

NOW COMES Petitioner, THE PREMCOR REFINING GROUP INC.

("Petitioner"), by and through its attorneys, HODGE DWYER ZEMAN, pursuant to 35 Ill. Admin. Code § 101.105(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board ("Board"), in the above-referenced proceeding, for an additional 90 days, or until August 12, 2004. In support of this Notice, the Petitioner states as follows:

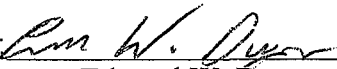
1. On January 13, 2004, Petitioner filed an Appeal of Agency Determination Regarding Request to Modify the Approved Closure Plan sent to Petitioner by the Illinois Environmental Protection Agency ("Illinois EPA") on September 10, 2003. Pursuant to the Board's Order, dated January 22, 2004, the current statutory decision deadline for this matter is May 14, 2004.

2. Petitioner hereby voluntarily agrees to a waiver of the statutory 120-day decision deadline, for an additional 90 days, or until August 12, 2004, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, THE PREMCOR REFINING GROUP INC., prays that the Illinois Pollution Control Board accepts this waiver of the statutory 120-day decision deadline for an additional 90 days for final action on Petitioner's Appeal of Agency Determination Regarding Request to Modify the Approved Closure Plan.

Respectfully submitted,

THE PREMCOR REFINING  
GROUP INC.,  
Petitioner,

By   
Edward W. Dwyer

Dated: February 6, 2004

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PREM:005/RCRA Permit Appeal/Notice of Waiver