

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD **OCT 12 2004**

STATE OF ILLINOIS  
Pollution Control Board

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

PCB No. 04-66  
(RCRA Permit Appeal)

**NOTICE OF FILING**

TO: Ms. Dorothy M. Gunn  
Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601  
**(VIA FIRST CLASS MAIL)**

Carol Sudman, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, Illinois 62794-9276  
**(VIA FIRST CLASS MAIL)**

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: October 8, 2004

By: Edward W. Dwyer *EDW*  
Edward W. Dwyer

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



Board subsequently accepted this waiver, but set the decision deadline for November 4, 2004, due to the Board's meeting being held on that date.

4. On August 5, 2004, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until February 2, 2005.

5. The parties are currently engaged in discussions that may result in the resolution of this matter. However, these efforts may extend beyond the statutory decision deadline of February 2, 2005.

6. Therefore, Petitioner hereby voluntarily agrees to an additional waiver of the statutory 120-day decision deadline for an additional ninety days, or until May 3, 2005, to provide the parties with an opportunity to resolve this matter without the need for hearing.

WHEREFORE, Petitioner, THE PREMCOR REFINING GROUP INC., prays that the Illinois Pollution Control Board accept 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  
Edward W. Dwyer

Dated: October 8, 2004

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HODGE DWYER ZEMAN  
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(217) 523-4900  
PREM:005/RCRA Permit Appeal/Notice of Waiver4

**CERTIFICATE OF SERVICE**

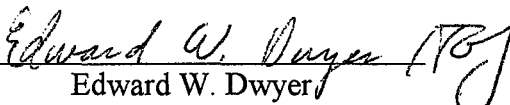
I, Edward W. Dwyer, the undersigned, certify that I have served the attached  
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL  
NINETY DAYS, upon:

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 October 8, 2004.

  
Edward W. Dwyer