

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD
CLERK'S OFFICE

RECEIVED

JUN 22 2005

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)

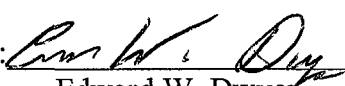
Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9276
(VIA FIRST CLASS MAIL)

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: June 20, 2005

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

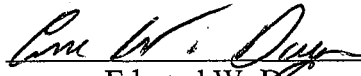
I, Edward W. Dwyer, the undersigned, certify that I have served the attached
NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL
NINETY DAYS, upon:

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

Carol Webb, 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 June 20, 2005.


Edward W. Dwyer

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**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 ninety (90) days, or until October 19, 2005. 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.

2. On February 6, 2004, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until August 12, 2004. The Board subsequently accepted this waiver.

3. On March 31, 2004, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until November 10, 2004. The 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. On October 8, 2004, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until May 3, 2005.

6. On December 28, 2004, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until August 1, 2005. The Board subsequently accepted this waiver, but set the decision deadline for July 21, 2005, due to the Board's meeting being held on that date.

7. On April 13, 2005, Petitioner filed a Notice of Waiver of 120-day decision deadline for an additional ninety (90) days, or until October 19, 2005.

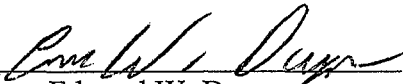
8. The parties are currently engaged in discussions that should result in the resolution of this matter. However, these efforts may extend beyond the statutory decision deadline of October 19, 2005.

9. Therefore, Petitioner hereby voluntarily agrees to an additional waiver of the statutory 120-day decision deadline for an additional ninety (90) days, or until January 17, 2006, 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 ninety (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: June 20, 2005

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PREM:005/RCRA Permit Appeal/Notice of Waiver7