

ILLINOIS POLLUTION CONTROL BOARD
February 1, 2007

THE PREMCOR REFINING GROUP INC.,)
)
 Petitioner,)
)
 v.) PCB 07-30
) (CAAPP Permit Appeal – Air)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by T.E. Johnson):

On October 24, 2006, the Premcor Refining Group Inc. (Premcor) timely filed a petition asking the Board to review a September 19, 2006 determination of the Illinois Environmental Protection Agency (Agency) to issue a Clean Air Act Permit Program (CAAPP) permit. The CAAPP permit application concerns Premcor's petroleum bulk storage and loading terminal at 201 East Hawthorne, Hartford, Madison County. Premcor filed a motion to stay the effectiveness of the CAAPP permit concurrently with the petition. The Board accepted the petition for review on November 16, 2006. On January 26, 2007, the Board issued an order granting Premcor's motion for leave to file an amended petition, and accepting the amended petition for review.

This matter is before the Board today on an agreed motion to supplement the administrative record filed by Premcor. In its motion, Premcor asserts that its amended petition references several documents that are relevant to Premcor's appeal of the CAAPP permit conditions. Mot. at 2. Premcor states that during a review of the administrative record, it discovered that several of those documents should have been included but were omitted. *Id.*

Premcor seeks to add these documents to the administrative record. Specifically, Premcor asks that the record be amended with the following documents:

Construction Permit #04070052 issued September 29, 2004, regarding the storage and barge loading of ethanol and toluene (*see also* Exhibit F of the amended petition);

Construction Permit #05030053 issued June 6, 2005, regarding the installation of 19 Lube Cube containers (*see also* Exhibit G of the Amended Petition); and

a letter dated October 25, 2005, notifying the Agency of the change in responsible official and confirmation of delivery of such letter to Agency (*see also* Exhibit J of the Amended Petition). Mot. at 3.

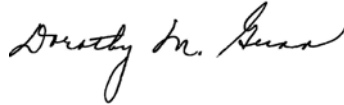
All three documents are attached to the motion and consecutively numbered with the documents filed as the administrative record by the Agency. Premcor contends that the permits constitute information that Premcor understands the Agency relied upon in making its final decision regarding the terms of the CAAPP permit, as reflected by the terms of the CAAPP permit. Mot. at 3.

Premcor asserts that it has conferred with the Agency regarding this motion, and that the Agency has no objection to supplementing the administrative record with the attached exhibits. Mot. at 4.

The Board grants Premcor's agreed motion to amend the administrative record. The attached documents are hereby accepted as part of the administrative record.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, certify that the Board adopted the above order on February 1, 2007, by a vote of 4-0.

A handwritten signature in cursive script, appearing to read "Dorothy M. Gunn".

Dorothy M. Gunn, Clerk
Illinois Pollution Control Board