

## ILLINOIS POLLUTION CONTROL BOARD

December 2, 2009

EXXONMOBIL OIL CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	PCB 10-30
AGENCY,	)	(NPDES Permit Appeal)
	)	
Respondent.	)	

**HEARING OFFICER ORDER**

On November 24, 2009, the respondent filed a motion for an extension of time to file the record and a motion for an extension of time to respond to petitioner's motion to stay the effectiveness of contested permit conditions, to and including December 8, 2009. To date, the petitioner has not filed its responses to either motion.

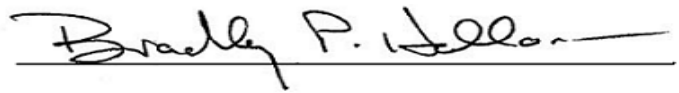
The Board's procedural rules provide that "[w]ithin 14 days after service of a motion, a party may file a response to the motion.... Unless undue delay or material prejudice would result, neither the Board nor the hearing officer will grant any motion before expiration of the 14 day response period except in deadline driven proceedings where no waiver has been filed." 35 Ill. Adm. Code 101.500(d).

It is noted that a telephonic status conference has been previously scheduled for December 9, 2009, at 9:00 a.m. Respondent's motion for an extension of time to file the record will be addressed at that time. However, I find that undue delay would result from allowing the 14-day response period to run as to respondent's motion for an extension of time to respond to petitioner's motion to stay and will address that motion in this order.

Respondent's motion for an extension of time to respond is granted to the extent that it is now due to be filed on or before December 8, 2009.

The parties or their legal representatives are directed to participate in a telephonic status conference with the hearing officer on December 9, 2009, at 9:00 a.m. The telephonic status conference must be initiated by the petitioners, but each party is nonetheless responsible for its own appearance. At the status conference, the parties must be prepared to discuss the status of the above-captioned matter and their readiness for hearing.

IT IS SO ORDERED.



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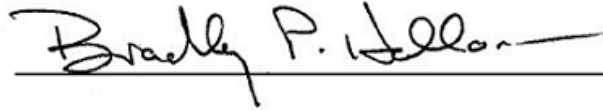
Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
312.814.8917

CERTIFICATE OF SERVICE

It is hereby certified that true copies of the foregoing order were mailed, first class, on December 2, 2009, to each of the persons on the attached service list.

It is hereby certified that a true copy of the foregoing order was hand delivered to the following on December 2, 2009:

John T. Therriault  
Illinois Pollution Control Board  
James R. Thompson Center  
100 W. Randolph St., Ste. 11-500  
Chicago, Illinois 60601

A handwritten signature in black ink that reads "Bradley P. Halloran". The signature is written in a cursive style and is positioned above a solid horizontal line.

Bradley P. Halloran  
Hearing Officer  
Illinois Pollution Control Board  
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