

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Bradley P. Halloran, Esq.
Assistant Clerk	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
James R. Thompson Center	100 West Randolph Street
100 West Randolph, Suite 11-500	Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC 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 a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL NINETY (90) DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

Dated: December 14, 2009

By:           /s/ Katherine D. Hodge            
One of Its Attorneys

Katherine D. Hodge  
Lauren C. Lurkins  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705  
(217) 523-4900

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL NINETY (90) DAYS upon:

John T. Therriault  
Assistant Clerk of the Board  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

via electronic mail on December 14, 2009; and upon:

Rebecca A. Burlingham, Esq.  
Vanessa A. Vail, Esq.  
Office of the Illinois Attorney General  
69 West Washington Street  
18<sup>th</sup> Floor  
Chicago, Illinois 60602

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on December 14, 2009.

By: /s/ Katherine D. Hodge  
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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

**NOTICE OF WAIVER OF 120-DAY  
DECISION DEADLINE FOR AN ADDITIONAL NINETY (90) DAYS**

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding for an additional ninety (90) days, or until June 4, 2010. In support of this Notice, Petitioner states as follows:

1. On November 4, 2009, Petitioner filed a Petition for Review of Agency NPDES Permit Decision (“Petition”) regarding the National Pollutant Discharge Elimination System Permit that was reissued to Petitioner on September 30, 2009, by the Illinois Environmental Protection Agency (“Agency”), for Petitioner’s petroleum refinery located at I-55 and Arsenal Road in Channahon Township in unincorporated Will County, Illinois. Petitioner also filed a Motion to Stay the Effectiveness of Contested Permit Conditions simultaneously therewith.

2. On November 19, 2009, the Board accepted the Petition for hearing, but reserved “ruling on stay issues until the Agency has filed a response or the response time

has elapsed.” Board Order, *ExxonMobil Oil Corporation v. Illinois EPA*, PCB No. 10-30 (Ill.Pol.Control.Bd. Nov. 19, 2009).

3. The current statutory decision deadline for this matter is March 6, 2010.

*Id.*

4. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional ninety (90) days, or until June 4, 2010, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for final action on Petitioner’s appeal of the National Pollutant Discharge Elimination System Permit reissued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

EXXONMOBIL CORPORATION,  
Petitioner,

Dated: December 14, 2009

By: /s/Katherine D. Hodge  
Katherine D. Hodge

Katherine D. Hodge  
Lauren C. Lurkins  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
(217) 523-4900

MOBO:027/Fil/Petition for Review/Notice of Waiver