

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
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **MOTION TO WITHDRAW PETITION FOR REVIEW**, a copy of which is herewith served upon you.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,
Petitioner.

Dated: March 18, 2010

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 MOTION TO WITHDRAW PETITION OF REVIEW 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 March 18, 2010; and upon:

Rebecca A. Burlingham, Esq.
Vanessa A. Vail, Esq.
Office of the Illinois Attorney General
69 West Washington Street
18th 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 March 18, 2010.

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

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MOTION TO WITHDRAW PETITION FOR REVIEW

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION (“ExxonMobil”), by and through its attorneys, HODGE DWYER & DRIVER, and hereby moves to withdraw its Petition for Review of Agency NPDES Permit Decision (“Petition”) regarding the National Pollutant Discharge Elimination System (“NPDES”) Permit that was reissued to ExxonMobil on September 30, 2009 (NPDES Permit No. IL0002861) (“Final NPDES Permit”), by the Illinois Environmental Protection Agency (“Agency”).

1. ExxonMobil owns and operates a petroleum refinery located at I-55 and Arsenal Road in Channahon Township in unincorporated Will County, Illinois (“Refinery”). The Refinery discharges to the Des Plaines River and the Jackson Creek tributary to the Des Plaines River.

2. On December 2, 2002, ExxonMobil timely filed a renewal application for its NPDES permit, which was previously issued on June 8, 1998, and modified on September 12, 2001. Over the course of the following several years, the Agency made available various draft NPDES permits, and ExxonMobil supplemented its renewal

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application with additional information and submitted written comments to the Agency regarding the draft NPDES permits.

3. The Agency reissued the Final NPDES Permit on September 30, 2009. The Final NPDES Permit was effective on October 1, 2009.

4. On November 4, 2009, ExxonMobil timely filed its Petition with the Illinois Pollution Control Board ("Board") and a Motion to Stay the Effectiveness of Contested Permit Conditions.

5. 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).

6. On December 17, 2009, the Board granted "ExxonMobil's unopposed motion for partial stay until the Board takes final action in this appeal or until the Board orders otherwise." Board Order, *ExxonMobil Oil Corporation v. Illinois EPA*, PCB No. 10-30 (Ill.Pol.Control.Bd. Dec. 17, 2009).

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION, respectfully requests that the Illinois Pollution Control Board grant this Motion and issue an Order

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finding ExxonMobil's Petition for Review in this matter withdraw, and take such other actions as deemed appropriate.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,
Petitioner,

Dated: March 18, 2010

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

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MOBO:027/Fil/Request for Withdrawal