

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

EXXONMOBIL OIL CORPORATION,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 11-86
	)	(Variance - Air)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Bradley P. Halloran, Esq.
Assistant Clerk of the Board	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 **JOINT MOTION FOR EXTENSION OF TIME**, a copy of which is herewith served upon you.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

Dated: July 1, 2011

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

Katherine D. Hodge  
Monica T. Rios  
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 JOINT MOTION OF EXTENSION OF TIME upon:

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

Gina Roccaforte, Esq.  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

via electronic mail on July 1, 2011; and upon:

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 July 1, 2011.

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

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PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**JOINT MOTION FOR EXTENSION OF TIME**

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION (“Petitioner”), and Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY (“Illinois EPA”) and hereby request an extension of time for Illinois EPA to file its recommendation in this matter. In support of this Joint Motion, Petitioner and Respondent state as follows:

1. On May 18, 2011, Petitioner filed a Petition for Review for a variance from the December 31, 2014 deadline for compliance with the applicable requirements of 35 Ill. Admin. Code Part 217, Subparts A, D, E, F, and Appendix H (“NOx RACT Rule”).
2. On May 23, 2011, the Board accepted the Petition, and, in its discretion, concluded that a hearing would be advisable. The Board directed that this matter proceed to hearing as expeditiously as practicable. Board Order, *ExxonMobil Oil Corporation v. Illinois EPA*, PCB No. 11-86 (Ill.Pol.Control.Bd. May 23, 2011) (hereafter cited as PCB No. 11-86).
3. On June 23, 2011, the hearing officer issued an order stating that Respondent must file its recommendation on or before July 5, 2011. Hearing Officer Order, PCB No. 11-86 (Ill.Pol.Control.Bd. June 23, 2011).

4. On June 28, 2011, the hearing officer issued an order stating that a hearing in this matter will be held on August 4, 2011 and establishing a schedule for pre-hearing motions and post-hearing briefs. Hearing Officer Order, PCB No. 11-86 (Ill.Pol.Control.Bd. June 28, 2011).

5. Petitioner and Respondent are scheduled to meet in the coming weeks to discuss the issues raised in the Petition, and accordingly, Petitioner and Respondent request an extension of time until July 15, 2011 for the Respondent to file its recommendation in this matter in order to allow time for consideration and review of the discussion and/or materials presented at the meeting between the parties.

6. Section 104.220 allows Petitioner to respond to Respondent's recommendation within 14 days of service of the recommendation. Petitioner hereby agrees, should this Motion be granted, that it will file its response to Respondent's recommendation by July 25, 2011.

7. Petitioner and Respondent also request a status conference with the hearing officer to discuss revising the deadlines for pre-hearing motions and responses given the request for extension of time to file the recommendation.

8. Petitioner and Respondent hereby request that Respondent be granted an extension until July 15, 2011 to file its recommendation, and Petitioner will agree to file its response by July 25, 2011.

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION and Respondent, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, request that this Joint Motion for Extension of Time be granted.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

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

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY,  
Respondent,

By:   
Gina Roccaforte

Dated: July 1, 2011

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MOBO:027/Fil/PCB 11-86/Joint Motion for Extension of Time