

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CONOCOPHILLIPS COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 12-101
)	Permit Appeal (NPDES)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: See Attached Service List

Please take notice that on May 1, 2012, I electronically filed with the Clerk of the Pollution Control Board of the State of Illinois, c/o John T. Therriault, Assistant Clerk, James R. Thompson Center, 100 W. Randolph St., Suite 11-500, Chicago, IL 60601, Petitioner's Withdrawal of Motion to Clarify, a copy of which is herewith served upon you.

Respectfully submitted,

s/ David L. Rieser
David L. Rieser

David L. Rieser
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CERTIFICATE OF SERVICE

I hereby certify that on May 1, 2012, I caused to be served by First Class Mail, with postage thereon fully prepaid, by depositing in a United States Post Office Box at 77 W. Wacker, Chicago, IL 60601, a true and correct copy of Petitioner's Withdrawal of Motion to Clarify, upon the following:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
P. O. Box 19276
Springfield, IL 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
P.O. Box 19274
Springfield, IL 62794-9274

s/ David L. Rieser
One of the Attorneys for Petitioner

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WITHDRAWAL OF MOTION TO CLARIFY

Petitioner, ConocoPhillips Company ("Petitioner"), by its attorneys, moves to withdraw its Motion to Clarify. In support, Petitioner states as follows.

1. On April 18, 2012, Petitioner sought clarification from the Board's April 5, 2012 Order as to whether the mercury condition set forth in both the 2009 and 2011 permits were stayed.

2. In its Response, filed on April 26, 2012, the Respondent Attorney General of Illinois stated that the 2009 permit is no longer in effect and the only permit in effect is the 2011 permit. The Respondent further stated that "the 2011 permit is in effect to all but the 2011 permit conditions explicitly stated."

3. The Board's April 5, 2012 Order explicitly stayed the following: Special Condition 21 (which relates to the discharge to Smith Lake), Special Conditions 26 and 28 (relating to fecal coliform discharge), Special Condition 27 and the effluent limit for mercury, and the effluent limit for dissolved oxygen.

4. In light of the Respondent's filing which states clearly on behalf of the state that the 2009 permit is no longer in effect and its conditions could not be enforced against Petitioner, Petitioner withdraws its Motion to Clarify.

Dated: May 1, 2012

Respectfully submitted,

s/ David L. Rieser

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