

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

| | | |
|------------------------|---|-----------------------|
| THE PREMCOR REFINING |) | |
| GROUP INC., |) | |
| |) | |
| Petitioner, |) | |
| |) | |
| v. |) | PCB 2010-55 |
| |) | (CAAPP Permit Appeal) |
| ILLINOIS ENVIRONMENTAL |) | |
| PROTECTION AGENCY, |) | |
| |) | |
| Respondent. |) | |

NOTICE OF FILING

| | |
|----------------------------------|----------------------------------|
| TO: Mr. John Therriault | Carol Webb, Esq. |
| Assistant Clerk of the Board | Hearing Officer |
| Illinois Pollution Control Board | Illinois Pollution Control Board |
| 100 West Randolph Street | 1021 North Grand Avenue East |
| Suite 11-500 | Post Office Box 19274 |
| Chicago, Illinois 60601 | Springfield, Illinois 62794-9274 |
| (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 **NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is herewith served upon you.

Respectfully submitted,

THE PREMCOR REFINING GROUP INC.,
Petitioner,

Dated: August 1, 2012

By: /s/ Monica T. Rios
One of Its Attorneys

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

CERTIFICATE OF SERVICE

I, Monica T. Rios, the undersigned, certify that I have served the attached

NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE upon:

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

via electronic mail on August 1, 2012; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

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

by depositing said documents in the United States Mail in Springfield, Illinois, postage prepaid, on August 1, 2012.

/s/ Monica T. Rios
Monica T. Rios

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| |) | |
| Respondent. |) | |

**NOTICE OF LIMITED WAIVER
OF 120-DAY DECISION DEADLINE**

NOW COMES Petitioner, THE PREMCOR REFINING GROUP INC. ("Petitioner"), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to a limited waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board ("Board"), in the above-referenced proceeding, until February 21, 2013. In support of this Notice, the Petitioner states as follows:

1. On December 9, 2009, Petitioner reissued a Clean Air Act Permit Program Permit ("CAAPP") that was the subject of appeal in *The Premcor Refining Group Inc. v. Illinois Environmental Protection Agency*, PCB 07-30.
2. On January 27, 2010, Petitioner filed a Petition requesting a hearing on the Illinois Environmental Protection Agency's ("Illinois EPA") action to issue a CAAPP permit in a fashion that does not reflect the current applicable requirements or the current operation of the facility, and also filed a Motion to Stay Effectiveness of the CAAPP Permit.
3. On February 4, 2010, the Board accepted Petitioner's petition for hearing.

4. The current decision deadline is December 20, 2012.

5. Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline, until February 21, 2013, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, THE PREMCOR REFINING GROUP INC., prays that the Illinois Pollution Control Board accepts this limited waiver of the statutory 120-day decision deadline until February 21, 2013, for final action on Petitioner's Petition for Review.

Respectfully submitted,

THE PREMCOR REFINING
GROUP INC.,
Petitioner,

By: /s/ Monica T. Rios
Monica T. Rios

Dated: August 1, 2012

Katherine D. Hodge
Monica T. Rios
HODGE DWYER & DRIVER
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PREM:013/Filings/PCB 10-55/Notice of Waiver15