

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLINT HILLS RESOURCES	)	
JOLIET, LLC,	)	
	)	PCB 2016-024
	)	
Petitioner,	)	(Variance -Water)
	)	
v.	)	
	)	
ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

To: John Therriault, Assistant Clerk  
Illinois Pollution Control Board  
James R. Thompson Center  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601

Brad Halloran, Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
Post Office Box 19274  
Springfield, IL 62794

PLEASE TAKE NOTICE that I have today filed with the Office of the Pollution Control Board the MOTION FOR AN EXTENSION OF TIME TO FILE THE AGENCY’S RECOMMENDATION for the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By: /s/Sara G. Terranova  
Sara G. Terranova  
Assistant Counsel  
Division of Legal Counsel

DATED: September 4, 2015

1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, IL 62794-9276  
(217) 782-5544

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLINT HILLS RESOURCES	)	
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	)	PCB 2016-024
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Petitioner,	)	(Variance -Water)
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ILLINOIS ENVIRONMENTAL PROTECTION	)	
AGENCY,	)	
	)	
Respondent.	)	

**MOTION FOR AN EXTENSION OF TIME TO FILE THE AGENCY'S  
RECOMMENDATION**

The Illinois Environmental Protection Agency ("Illinois EPA" or "Agency"), by and through its attorney, hereby submits its Motion for an Extension of Time to file the Agency's Recommendation with respect to the Variance Petition filed by the Petitioner. In support thereof, the Illinois EPA states as follows:

1. On July 21, 2015, the Petitioner filed its Variance Petition from the thermal water quality standards recently adopted in R08-09.
2. Pursuant to the hearing officer Order issued on August 6, 2015, the Agency is to file its recommendation with respect to the variance petition on September 4, 2015.
3. Illinois EPA is currently reviewing the variance petition and also plans to have conversations with USEPA and the Petitioner before preparing its recommendation. Due to schedules and conversations needed with USEPA and the Petitioner, additional time is needed to finalize the Agency's recommendation.

4. The Agency has reached out to the Petitioner and they have advised Illinois EPA that they have no objection to the requested extension of time to file the Agency's recommendation.

5. The requested extension should not prejudice or harm any interested party.

6. On August 20, 2015, the Agency filed a Motion For An Extension of Time to File The Agency's Recommendation. As to date, the Board has not ruled on the Agency's motion. The Agency is again requesting additional time to review the variance petition and finalize the Agency's Recommendation.

WHEREFORE, the Illinois EPA respectfully requests the Illinois Pollution Control Board grant it's Motion for an Extension of Time for the Agency's recommendation and grant the Agency an additional 60 days from the September 4, 2015 deadline to file its recommendation with the Board. Therefore, the Agency's recommendation would be due on November 3, 2015.

Respectfully submitted,

By: /s/Sara G. Terranova  
Sara G. Terranova  
Assistant Counsel  
Division of Legal Counsel

Date: September 4, 2015

Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276

**CERTIFICATE OF SERVICE**

I, the undersigned, an attorney, state that I have served the attached the NOTICE OF FILING and MOTION FOR AN EXTENSION OF TIME TO FILE THE AGENCY'S RECOMMENDATION for the Illinois Environmental Protection Agency upon the person to whom it is directed, by mailing it by first-class mail from Springfield, Illinois, with sufficient postage affixed, to the following persons:

John Therriault, Assistant Clerk  
Brad Halloran, Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph, Suite 11-500  
Chicago, Illinois 60601-3218

Katherine D. Hodge  
Matthew C. Reed  
Hodge Dwyer and Driver  
3150 Roland Avenue  
P.O. Box 5776  
Springfield, Illinois 62705

ILLINOIS ENVIRONMENTAL  
PROTECTION AGENCY

By:           /s/ Sara Terranova            
Sara Terranova  
Assistant Counsel  
Division of Legal Counsel

DATED: September 4, 2015

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Springfield, IL 62794-9276  
(217) 782-554