

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 TO WITHDRAWL THE AGENCY’S SEPTEMBER 4, 2015 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 15, 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)	
JOLIET, LLC,)	
)	PCB 2016-024
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ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	
)	
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MOTION TO WITHDRAWAL THE AGENCY’S SEPTEMBER 4, 2015 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 to Withdrawal the Agency’s September 4, 2015 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 was to file its recommendation with respect to the variance petition on September 4, 2015.
3. On August 20, 2015, the Agency filed its original Motion for an Extension of Time to File the Agency’s Recommendation.
4. Unaware of the Illinois Pollution Control Board’s September 3, 2015 Order to grant the original motion and extension of time for the Agency to file its recommendation until

November 3, 2015, on September 4, 2015, the Agency filed its second Motion for an Extension of Time to File the Agency's Recommendation.

WHEREFORE, the Illinois EPA respectfully requests the Illinois Pollution Control Board withdrawal its September 4, 2015 Motion for an Extension of Time for the Agency's Recommendation, as it is moot.

Respectfully submitted,

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

Date: September 15, 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 TO WITHDRAWL THE AGENCY'S SEPTEMBER 4, 2015 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 15, 2015

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