

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLINT HILLS RESOURCES	)	
JOLIET, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 16-24
	)	(Variance – Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. Don Brown	Bradley P. Halloran
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500	100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA ELECTRONIC MAIL)</b>

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is herewith served upon you.

Respectfully submitted,

FLINT HILLS RESOURCES JOLIET, LLC,  
Petitioner,

Dated: March 7, 2017

By: /s/ Joshua J. Houser  
One of Its Attorneys

Katherine D. Hodge  
Joshua J. Houser  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, Illinois 62711  
[Katherine.Hodge@heplerbroom.com](mailto:Katherine.Hodge@heplerbroom.com)  
[Joshua.Houser@heplerbroom.com](mailto:Joshua.Houser@heplerbroom.com)  
(217) 528-3674

## **CERTIFICATE OF SERVICE**

I, the undersigned, on oath state the following:

That I have served the attached NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE

via electronic mail upon:

Don Brown  
Clerk of the Board  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
[Don.Brown@illinois.gov](mailto:Don.Brown@illinois.gov)

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 W. Randolph Street, Suite 11-500  
Chicago, Illinois 60601  
[Brad.Halloran@illinois.gov](mailto:Brad.Halloran@illinois.gov)

Sara Terranova, Esq.  
Stefanie N. Diers, Esq.  
Division of Legal Counsel  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
P.O. Box 19276  
Springfield, Illinois 62794-9276  
[Sara.Terranova@illinois.gov](mailto:Sara.Terranova@illinois.gov)  
[Stefanie.Diers@illinois.gov](mailto:Stefanie.Diers@illinois.gov)

Albert Ettinger, Esq.  
Law Firm of Albert Ettinger  
53 W. Jackson, Suite 1664  
Chicago, Illinois 60604  
[Ettinger.Albert@gmail.com](mailto:Ettinger.Albert@gmail.com)

That my email address is [Joshua.Houser@heplerbroom.com](mailto:Joshua.Houser@heplerbroom.com).

That the number of pages in the email transmission is 4.

That the email transmission took place before 5:00 p.m. on the date of March 7, 2017.

\_\_\_\_\_  
/s/ Joshua J. Houser  
Joshua J. Houser

Date: March 7, 2017

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	)	(Variance – Water)
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PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

NOW COMES Petitioner, FLINT HILLS RESOURCES JOLIET, LLC (“Petitioner”), by and through its attorneys, HEPLERBROOM, LLC, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby waives the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding until October 5, 2017. In support of this Notice, Petitioner states as follows:

1. On July 21, 2015, Petitioner filed its Petition for Variance (“Petition”) requesting a variance from the deadline for complying with temperature standards at 35 Ill. Admin. Code §§ 302.408(b), (c), (d), (e), (f), and (i) for its Channahon Facility pursuant to the terms and conditions outlined in its Petition.
2. On August 6, 2015, the Board accepted the Petition.
3. The current statutory decision deadline for this matter is June 15, 2017.
4. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline until October 5, 2017.

WHEREFORE, Petitioner, FLINT HILLS RESOURCES JOLIET, LLC, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for final action on Petitioner's Petition for Variance.

Respectfully submitted,

FLINT HILLS RESOURCES JOLIET, LLC,  
Petitioner,

Dated: March 7, 2017

By: /s/ Joshua J. Houser  
Joshua J. Houser

Katherine D. Hodge  
Joshua J. Houser  
HEPLERBROOM, LLC  
4340 Acer Grove Drive  
Springfield, Illinois 62711  
[Katherine.Hodge@heplerbroom.com](mailto:Katherine.Hodge@heplerbroom.com)  
[Joshua.Houser@heplerbroom.com](mailto:Joshua.Houser@heplerbroom.com)  
(217) 528-3674