

**BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

|                        |   |                  |
|------------------------|---|------------------|
| IN THE MATTER OF:      | ) |                  |
|                        | ) |                  |
| MARATHON PETROLEUM     | ) |                  |
| COMPANY LP,            | ) |                  |
|                        | ) |                  |
| Petitioner,            | ) |                  |
|                        | ) |                  |
| v.                     | ) | PCB No. 2018-049 |
|                        | ) |                  |
| ILLINOIS ENVIRONMENTAL | ) |                  |
| PROTECTION AGENCY,     | ) |                  |
|                        | ) |                  |
| Respondent.            | ) |                  |

**NOTICE OF FILING**

To:

Don Brown, Clerk of the Board  
Illinois Pollution Control Board  
James R. Thompson Center, Suite 11-500  
100 W. Randolph Street  
Chicago, Illinois 60601  
don.brown@illinois.gov  
**(VIA ELECTRONIC MAIL)**

Carol Webb, Hearing Officer  
Illinois Pollution Control Board  
1021 North Grand Avenue East  
P.O. Box 19274  
Springfield, Illinois 62794-9274  
**(VIA ELECTRONIC MAIL)**

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

PLEASE TAKE NOTICE that I have today electronically filed with the Office of the Clerk of the Pollution Control Board a MOTION FOR LEAVE TO FILE A REPLY, a copy of which is herewith served upon you.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

Dated: January 11, 2019  
  
1021 N. Grand Ave. East  
P.O. Box 19276  
Springfield, Illinois 62794  
217-782-5544

By: /s/ Sara G. Terranova  
Sara G. Terranova  
Assistant Counsel  
Division of Legal Counsel  
sara.terranova@illinois.gov

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

**MOTION FOR LEAVE TO FILE A REPLY**

NOW COMES the Illinois Environmental Protection Agency (Agency or Illinois EPA), by and through one of its attorneys, Sara G. Terranova, pursuant to 35 Ill. Adm. Code 101.500, and hereby files this Motion for Leave to File a Reply. In support of this motion, the Illinois EPA states as follows:

1. On November 1, 2018, the Illinois Pollution Control Board (Board) granted the Illinois Department of Natural Resources (IDNR) an extension of time to file a response to the Agency's Recommendation and Marathon Petroleum Company LP's (Marathon) response to IDNR. In that Order, the Board noted that, after IDNR files its response, "the Board expects the Agency and Marathon to file their replies." *See* Board Order, PCB No. 2018-049, at 2 (November 1, 2018).
2. On December 28, 2018, IDNR filed its Response to the Agency's Recommendation. Along with an attached technical report, the Response included three specific recommendation points for the Board to consider.

3. On January 8, 2019, Marathon filed a Motion for Leave to File a Reply to IDNR's Response to the Agency's Recommendation. In that Motion, Marathon requested that it be granted until February 15, 2019, to file its Reply to IDNR's Response to the Agency's Recommendation.

4. On January 9, 2018, the Hearing Officer entered an Order granting Petitioner's Motion for Leave to Reply to IDNR's Response and allowing until February 15, 2019 to file such reply.

5. The Agency hereby requests leave from the Board to file its Reply to IDNR's Response to the Agency's Recommendation.

6. Pursuant to 35 Ill. Adm. Code Section 101.500, this Motion has been filed within 14 days after service of IDNR's Response to the Agency's Recommendation, which was filed and served on December 28, 2018.

7. The Agency requests that it be granted until March 15, 2019 to file its Reply. In this Reply, the Agency will review and consider both IDNR's recommendation as well as Marathon's Reply to IDNR's Response.

8. Both the Petitioner and IDNR have no objection to the granting of this Motion.

WHEREFORE, for the above foregoing reasons, the Illinois EPA requests that the Board enter an Order granting this Motion for Leave to File a Reply and allowing the Agency until March 15, 2019 to file such reply.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

Dated: January 11, 2019

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Springfield, Illinois 62794  
217-782-5544

By: /s/ Sara G. Terranova

Sara G. Terranova  
Assistant Counsel  
Division of Legal Counsel  
Sara.Terranova@illinois.gov

**CERTIFICATE OF SERVICE**

I, Sara G. Terranova, Assistant Counsel for the Illinois EPA, herein certifies that I have served a copy of the MOTION FOR LEAVE TO FILE A REPLY, via electronic mail upon:

|  |  |
|--|--|
| Don Brown, Clerk of the Board<br>Illinois Pollution Control Board<br>100 W. Randolph Street, Suite 11-500<br>Chicago, Illinois 60601<br>Don.Brown@illinois.gov   | Carol Webb, Hearing Officer<br>Illinois Pollution Control Board<br>1021 North Grand Avenue East<br>P.O. Box 19274<br>Springfield, Illinois 62794-9274<br>Carol.Webb@illinois.gov |
| Illinois Department of Natural Resources<br>Renee Snow, General Counsel<br>Virginia Yang, Deputy Legal Counsel<br>One Natural Resource Way<br>Springfield, Illinois 62702<br>Renee.Snow@illinois.gov<br>Virginia.Yang@illinois.gov | HeplerBroom LLC<br>Melissa S. Brown<br>Katherine D. Hodge<br>4340 Acer Grove Drive<br>Springfield, Illinois 62711<br>Melissa.brown@heplerbroom.com<br>khodge@heplerbroom.com     |
|  |  |

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION  
AGENCY

Dated: January 11, 2019

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