

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

In the Matter Of:)	
)	
MARATHON PETROLEUM)	
COMPANY LP,)	
)	
Petitioner,)	
)	
v.)	PCB No. 18-49
)	
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Don Brown	Carol Webb
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 W. Randolph Street, Suite 11-500	1021 North Grand Avenue East
Chicago, Illinois 60601	P.O. Box 19274
(VIA ELECTRONIC MAIL)	Springfield, Illinois 62794-9274
	(VIA ELECTRONIC MAIL)

(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 **JOINT MOTION FOR EXTENSION OF TIME TO FILE REPLIES TO ILLINOIS DEPARTMENT OF NATURAL RESOURCES' RESPONSE TO AGENCY'S RECOMMENDATION**, a copy of which is herewith served upon you.

Respectfully submitted,
MARATHON PETROLEUM COMPANY LP,

Dated: February 6, 2019

By: /s/ Melissa S. Brown
One of Its Attorneys

Katherine D. Hodge
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CERTIFICATE OF SERVICE

I, Melissa S. Brown, the undersigned, on oath state the following:

That I have served the attached **JOINT MOTION FOR EXTENSION OF TIME TO FILE REPLIES TO ILLINOIS DEPARTMENT OF NATURAL RESOURCES' RESPONSE TO AGENCY'S RECOMMENDATION** 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

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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Renee Snow
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Renee.Snow@illinois.gov
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That my email address is Melissa.Brown@heplerbroom.com.

That the number of pages in the email transmission is 6 pages.

That the email transmission took place before 5:00 p.m. on the date of February 6, 2019.

/s/ Melissa S. Brown

Melissa S. Brown

Date: February 6, 2019

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**JOINT MOTION FOR EXTENSION OF TIME TO FILE REPLIES TO ILLINOIS
DEPARTMENT OF NATURAL RESOURCES' RESPONSE
TO AGENCY'S RECOMMENDATION**

MARATHON PETROLEUM COMPANY LP ("Marathon"), by and through its attorneys, HEPLERBROOM, LLC, and the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by and through one of its attorneys, Joanne Olson, and pursuant to 35 Ill. Adm. Code § 101.522, hereby file this Joint Motion for Extension of Time to File Replies to Illinois Department of Natural Resources' Response to Agency's Recommendation ("Joint Motion"). In support of this Joint Motion, Marathon and Illinois EPA state as follows:

1. On December 15, 2017, Marathon filed its Petition to Approve Alternative Thermal Effluent Limitations ("Petition") in this proceeding.
2. On September 10, 2018, Illinois EPA filed its Recommendation to the Board regarding Marathon's Petition, in which Illinois EPA recommends that the Board grant Marathon's Petition. *See* Recommendation of the Illinois Environmental Protection Agency, PCB No. 18-49, at 4 (Sept. 10, 2018) ("Recommendation").

3. On December 28, 2018, the Illinois Department of Natural Resources (“IDNR”) filed its Response to the Agency’s Recommendation, entitled “The Illinois Department of Natural Resources’ Reply to the Illinois Environmental Protection Agency Recommendation” (“IDNR Response”).

4. On January 8, 2019, Marathon filed a Motion for Leave to File Reply to Illinois Department of Natural Resources’ Response to Agency’s Recommendation. In its Motion for Leave, Marathon requested until February 15, 2019 to files its reply in order to allow its consultant time to re-run modeling to include the Bigeye Chub as a Representative Important Species. *See* Motion for Leave to File Reply to Illinois Department of Natural Resources’ Response to Agency’s Recommendation, PCB 18-49 (Jan. 8, 2019).

5. On January 9, 2019, the Hearing Officer granted Marathon’s Motion for Leave. Hearing Officer Order, PCB 18-49 (Jan. 9, 2019).

6. On January 11, 2019, Illinois EPA filed a Motion for Leave to File a Reply, requesting that the Board grant it until March 15, 2019 to file its reply. *See* Motion for Leave to File a Reply, PCB 18-49 (Jan. 11, 2019). The Hearing Officer granted Illinois EPA’s Motion for Leave on January 14, 2019. Hearing Officer Order, PCB 18-49 (Jan. 14, 2019).

7. On January 18, 2019, IDNR filed a Motion for Leave to File, requesting that the Board grant it until April 15, 2019 to file a reply, if any, to Marathon’s and Illinois EPA’s replies. *See* Motion for Leave to File, PCB 18-49 (Jan. 18, 2019). On February 4, 2019, the Hearing Officer granted IDNR’s Motion for Leave to File. Hearing Officer Order, PCB 18-49 (Feb. 4, 2019).

8. Marathon and Illinois EPA are now requesting an extension of time to file their replies. Marathon requests an extension due to additional time being needed for its consultant to

re-run the Fish Temperature Modeling System with the Bigeye Chub included as a Representative Important Species, as well as to allow time for a meeting to be held between Marathon, Illinois EPA, and IDNR to discuss IDNR's Response. Currently, the meeting is scheduled for February 22, 2019. Marathon therefore requests that the Board grant it an extension until March 15, 2019 to file its reply. Due to Marathon's request for an extension, Illinois EPA also requests additional time to file its reply. Illinois EPA requests that the Board extend its deadline to file a reply until April 15, 2019.

9. Marathon has conferred with counsel for IDNR regarding extending the deadline for its reply consistent with the time previously requested. As such, Marathon and Illinois EPA are also requesting that the deadline for IDNR to file a reply, if any, be extended to May 15, 2019.

10. IDNR has no objection to the granting of this Motion.

WHEREFORE, for the above and foregoing reasons, MARATHON PETROLEUM COMPANY LP and the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY request that the Illinois Pollution Control Board enter an Order granting this Joint Motion for Extension of Time to File Replies to Illinois Department of Natural Resources' Response to Agency's Recommendation, extending the deadlines for MARATHON PETROLEUM COMPANY LP, the ILLINOIS ENVIRONMENTAL PROTECTION AGENCY, and the Illinois Department of

Natural Resources to file replies until March 15, 2019, April 15, 2019, and May 15, 2019, respectively.

Respectfully submitted,

MARATHON PETROLEUM COMPANY
LP,

By: /s/ Melissa S. Brown
One of Its Attorneys

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ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY,

By: /s/ Joanne Olson
One of Its Attorneys

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Dated: February 6, 2019