

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

September 2, 2005

EXXONMOBIL OIL CORPORATION )
Petitioner, )
v. )
ILLINOIS ENVIRONMENTAL PROTECTION )
AGENCY, )
Respondent. )

IEPA-05-001
(Provisional
Variance- Air)

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SEP 13 2005
STATE OF ILLINOIS
Pollution Control Board

Re: Request for Provisional Variance – Marine Terminal Organic Material Emission Standards

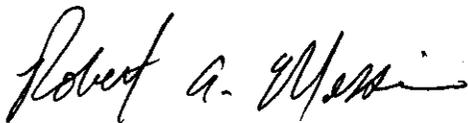
On September 1, 2005, the Illinois EPA received from ExxonMobil Oil Corporation ("ExxonMobil") a request for provisional variance to allow the loading of gasoline onto barges at the Joliet refinery wharf loading facility without the requisite vapor collection and control system for volatile organic material ("VOM") emissions. The Illinois EPA accepted this request for review pursuant to the requirements of the Illinois Environmental Protection Act ("Act") and the applicable Agency regulations.

The Illinois EPA evaluated the request pursuant to the requirements of Sections 35, 36, and 37 of the Act and the Agency regulations at 35 Ill. Adm. Code Part 180. The Illinois EPA is granting ExxonMobil's request for provisional variance as the source has demonstrated that an arbitrary and unreasonable hardship will result in the event of a denial. More specifically, in light of catastrophic events that have occurred as a result of Hurricane Katrina, regulatory relief requested by ExxonMobil is intended to facilitate loading of gasoline for delivery to communities where primary sources of gasoline supply have been disrupted, including refinery and/or pipeline operations.

ExxonMobil seeks provisional variance from permit condition 7.16.7(a) contained within Clean Air Act Permit Program ("CAAPP") permit number 95120304 and 35 Ill. Adm. Code Part 218 Subpart GG (Marine Terminals). The Illinois EPA is granting relief from condition 7.16.7(a) and the applicable requirements of 35 Ill. Adm. Code Section 218.762 (Control Requirements), Section 218.764 (Compliance Certification), Section 218.766 (Leaks), Section 218.768 (Testing and Monitoring), and Section 218.770 (Record keeping and Reporting). Relief is granted until such time as barge loading operations have concluded or September 15, 2005, the close of the regulatory control period, whichever occurs first.

The Illinois EPA is granting ExxonMobil's request for provisional variance subject to the following conditions:

1. In lieu of the recordkeeping requirements of 35 Ill. Adm. Code 218.770, ExxonMobil shall keep the following records:
  - a. The number of barges loaded and the dates of any loading during the term of the provisional variance.
  - b. The total tons of VOM released during barge loading operations conducted during the term of the provisional variance, with supporting calculations.
2. ExxonMobil shall submit to the Illinois EPA, by September 30, 2005, a report detailing the information required by 1(a) and (b) above.



Robert A. Messina  
Chief Legal Counsel

cc: IPCB, Clerk