

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND)
EFFLUENT LIMITATIONS FOR THE) R08-9
CHICAGO AREA WATERWAY SYSTEM) (Rulemaking – Water)
AND THE LOWER DES PLAINES RIVER:)
PROPOSED AMENDMENTS TO 35 Ill.)
Adm. Code Parts 301, 302, 303 and 304)

NOTICE OF FILING

| | |
|----------------------------------|----------------------------------|
| TO: Mr. John T. Therriault | Ms. Marie E. Tipsord |
| Assistant Clerk of the Board | Hearing Officer |
| Illinois Pollution Control Board | Illinois Pollution Control Board |
| 100 West Randolph Street | 100 West Randolph Street |
| Suite 11-500 | Suite 11-500 |
| Chicago, Illinois 60601 | Chicago, Illinois 60601 |
| (VIA ELECTRONIC MAIL) | (VIA FIRST CLASS 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 the **MOTION TO WITHDRAW PRE-FILED TESTIMONY OF ALAN L. JIRIK AND PRE-FILED TESTIMONY OF JAMES E. HUFF ON BEHALF OF CORN PRODUCTS INTERNATIONAL, INC.**, a copy of which is herewith served upon you.

Respectfully submitted,

CORN PRODUCTS
INTERNATIONAL, INC.,

Dated: February 13, 2009

By: /s/ Katherine D. Hodge
One of Its Attorneys

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CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached MOTION TO WITHDRAW PRE-FILED TESTIMONY OF ALAN L. JIRIK AND PRE-FILED TESTIMONY OF JAMES E. HUFF ON BEHALF OF CORN PRODUCTS INTERNATIONAL, INC. upon:

Mr. John T. Therriault
Assistant Clerk of the Board
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

via electronic mail on February 13, 2009; and upon:

Ms. Marie E. Tipsord
Hearing Officer
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by depositing said documents in the United States Mail, postage prepaid, in
Springfield, Illinois on February 13, 2009.

/s/ Katherine D. Hodge
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)
)
WATER QUALITY STANDARDS AND)
EFFLUENT LIMITATIONS FOR THE) R08-9
CHICAGO AREA WATERWAY) (Rulemaking – Water)
SYSTEM AND THE LOWER DES)
PLAINES RIVER: PROPOSED)
AMENDMENTS TO 35 Ill. Adm. Code)
Parts 301, 302, 303 and 304)

**MOTION TO WITHDRAW PRE-FILED TESTIMONY OF
ALAN L. JIRIK AND PRE-FILED TESTIMONY OF JAMES E.
HUFF ON BEHALF OF CORN PRODUCTS INTERNATIONAL, INC.**

NOW COMES CORN PRODUCTS INTERNATIONAL, INC. (“Corn Products”), by and through its attorneys, HODGE DWYER ZEMAN, and pursuant to 35 Ill. Admin. Code §§ 101.500 and 102.402, moves to presently withdraw the Pre-Filed Testimony of Alan L. Jirik and the Pre-Filed Testimony of James E. Huff on behalf of Corn Products. Please note that since Mr. Huff planned to testify on behalf of Citgo Petroleum Corporation and PDV Midwest, LLC (“Citgo”) and Corn Products, Corn Products requests only to withdraw the portion of Mr. Huff’s Pre-Filed Testimony referencing Corn Products. In support hereof, Corn Products states:

1. On August 4, 2008, Corn Products submitted Pre-Filed Testimony of Alan L. Jirik on behalf of Corn Products in the above-referenced matter.
2. On August 4, 2008, counsel for Citgo submitted Pre-Filed Testimony of James E. Huff on behalf of Citgo and Corn Products in the above-referenced matter.
3. Circumstances at Corn Products have changed since the August 4, 2008 filings. Such change in circumstances is related especially to testimony presented by others in the 12 days of hearing in this proceeding since August 4, 2008, as well as Corn

Products' additional discussions with representatives of the Illinois Environmental Protection Agency ("Illinois EPA") concerning the impact of the proposed rule on Corn Products' operations.

4. Counsel for Corn Products has discussed this matter with counsel for Citgo and with counsel for the Proponent, the Illinois EPA. Neither Citgo nor the Illinois EPA has any objection to the filing of this motion. However, Citgo notes that it still plans to present Mr. Huff as a witness.

5. Corn Products intends to re-file Pre-Filed Testimony for presentation in this proceeding, understanding that its place in the current schedule of additional witnesses for this portion of the proceeding may change.

6. In light of the change in circumstances, Corn Products respectfully withdraws the August 4, 2008 Pre-Filed Testimony of Alan L. Jirik and the August 4, 2008 Pre-Filed Testimony of James E. Huff on behalf of Corn Products, reserving its right to re-file Pre-filed Testimony.

Respectfully submitted,

CORN PRODUCTS INTERNATIONAL,
INC.

Dated: February 13, 2009

By: /s/ Katherine D. Hodge
One of Its Attorneys

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CORN:006/Fil/R08-9 Motion to Withdraw Pre-Filed Testimony of Alan Jirik and James Huff