

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

EXXONMOBIL OIL CORPORATION,)
)
Petitioner,)
)
v.) PCB 10-30
) (NPDES Permit Appeal)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
Respondent.)

NOTICE OF FILING

TO: Mr. John T. Therriault Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
100 West Randolph, Suite 11-500
Chicago, Illinois 60601
(VIA ELECTRONIC MAIL)

Bradley P. Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601
(VIA FIRST CLASS MAIL)

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 FOR AN ADDITIONAL SIXTY (60) DAYS**, a copy of which is herewith served upon you.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,
Petitioner,

Dated: March 2, 2010

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

Katherine D. Hodge
Lauren C. Lurkins
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705
(217) 523-4900

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached NOTICE OF WAIVER OF 120-DAY DECISION DEADLINE FOR AN ADDITIONAL SIXTY (60) DAYS upon:

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 March 2, 2010; and upon:

Rebecca A. Burlingham, Esq.
Vanessa A. Vail, Esq.
Office of the Illinois Attorney General
69 West Washington Street
18th Floor
Chicago, Illinois 60602

Bradley P. Halloran, Esq.
Hearing Officer
Illinois Pollution Control Board
100 West Randolph Street
Suite 11-500
Chicago, Illinois 60601

by depositing said documents in the United States Mail, postage prepaid, in Springfield, Illinois on March 2, 2010.

By: /s/ Katherine D. Hodge
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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Petitioner,)	
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v.)	PCB 10-30
)	(NPDES Permit Appeal)
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**NOTICE OF WAIVER OF 120-DAY
DECISION DEADLINE FOR AN ADDITIONAL SIXTY (60) DAYS**

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to waive the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”) in this proceeding for an additional sixty (60) days, or until August 3, 2010. In support of this Notice, Petitioner states as follows:

1. On November 4, 2009, Petitioner filed a Petition for Review of Agency NPDES Permit Decision (“Petition”) regarding the National Pollutant Discharge Elimination System Permit that was reissued to Petitioner on September 30, 2009, by the Illinois Environmental Protection Agency (“Agency”), for Petitioner’s petroleum refinery located at I-55 and Arsenal Road in Channahon Township in unincorporated Will County, Illinois. Petitioner also filed a Motion to Stay the Effectiveness of Contested Permit Conditions simultaneously therewith.

2. On November 19, 2009, the Board accepted the Petition for hearing, but reserved “ruling on stay issues until the Agency has filed a response or the response time

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has elapsed.” Board Order, *ExxonMobil Oil Corporation v. Illinois EPA*, PCB No. 10-30 (Ill.Pol.Control.Bd. Nov. 19, 2009).

3. On December 14, 2009, Petitioner filed a Notice of Waiver of 120-Day Decision Deadline for an Additional Ninety (90) Days, agreeing to waive the decision deadline until June 4, 2010, which is the current statutory deadline.

4. Petitioner hereby voluntarily agrees to waive the statutory 120-day decision deadline for an additional sixty (60) days, or until August 3, 2010, in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION, prays that the Illinois Pollution Control Board accept this waiver of the statutory 120-day decision deadline for final action on Petitioner’s appeal of the National Pollutant Discharge Elimination System Permit reissued to it by the Illinois Environmental Protection Agency.

Respectfully submitted,

EXXONMOBIL CORPORATION,
Petitioner.

Dated: March 2, 2010

By: /s/Katherine D. Hodge
Katherine D. Hodge

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Lauren C. Lurkins
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