BEFORE THE ILLINOIS POLLUT	ION CO	NTROL BOARD
CITGO PETROLEUM CORPORATION and	)	
PDV MIDWEST REFINING, L.L.C.,	)	
	)	
Petitioners,	)	
	)	DCD 10.001
V.	)	PCB 12-094
	)	(Variance- Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

NOTICE

John Therriault, Assistant Clerk Illinois Pollution Control Board 100 West Randolph Street Suite 11-500 Chicago, IL 60601 Jeffrey C. Fort Ariel J. Tesher Sonnenschein Nath & Rosenthal LLP 233 S. Wacker Drive Chicago, IL 60606-6404

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the

Pollution Control Board an APPEARANCE and MOTION TO EXTEND TIME TO

**<u>PUBLISH NOTICE</u>** of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Sara G. Tenamera

Sara G. Terranova Assistant Counsel Division of Legal Counsel

Dated: January 03, 2012 1021 N. Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 217/782-5544

## BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CITGO PETROLEUM CORPORATION and	)	
PDV MIDWEST REFINING, L.L.C.,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 12-094
	)	(Variance- Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

#### APPEARANCE

The undersigned, as one of its attorneys, hereby enters an <u>APPEARANCE</u> on behalf of the Respondent, Illinois Environmental Protection Agency.

#### ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

Sona G. Tenamera By:

Sara G. Terranova Assistant Counsel Division of Legal Counsel

Dated: January 3, 2012 1021 N. Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 217/782-5544

#### **BEFORE THE ILLINOIS POLLUTION CONTROL BOARD**

CITGO PETROLEUM CORPORATION and	)
PDV MIDWEST REFINING, L.L.C.,	)
Petitioners,	)
ν.	) PCB 12-094 ) (Variance- Water)
ILLINOIS ENVIRONMENTAL	)
PROTECTION AGENCY,	)
Respondent.	)

#### **MOTION TO EXTEND TIME TO PUBLISH NOTICE**

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by one of its attorneys, Sara Terranova, and moves the Illinois Pollution

Control Board (the "Board") to extend the time that the Illinois EPA has to publish notice of the instant variance petition. In support of this motion, the Illinois EPA states as follows:

- On December 20, 2011, CITGO Petroleum and PDV Midwest Refining, L.L.C. ("Petitioners") filed a petition for extension of its variance from 35 Ill. Adm. Code 302.208(g) and 302.407, for Total Dissolved Solids ("TDS").
- The Division of Legal Counsel received a copy of the instant petition on December 23, 2011, addressed to Interim Director, John J. Kim.
- 3. Due to the holiday's, the undersigned attorney was not assigned to this case until January

3, 2012.

- Pursuant to 35 Ill. Adm. Code 104.140(b), the Illinois EPA was unable to have the public notice published within the required fourteen (14) days after the filing of the instant petition.
- 5. Because the undersigned was just recently assigned to this case, the attorney needs sufficient time to get acquainted with the subject matter of Petitioners' petition.
- Petitioners will suffer no prejudice should the Illinois EPA be granted an extension of thirty (30) days time to publish notice of the instant petition.

WHEREFORE, the Illinois EPA requests a thirty (30) day extension to publish notice of the instant petition.

## ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

By: Soun G. Tenanera

Sara G. Terranova Assistant Counsel Division of Legal Counsel

Dated: January 3, 2012 1021 N. Grand Avenue East P.O. Box 19276 Springfield, IL 62794-9276 217/782-5544

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)

)

# STATE OF ILLINOIS

# COUNTY OF SANGAMON

### **PROOF OF SERVICE**

I, the undersigned, on oath state that I have served the attached an <u>APPEARANCE</u> and <u>MOTION TO EXTEND TIME TO PUBLISH NOTICE</u> upon the persons to whom it is directed, by placing a copy in an envelope addressed to:

John Therriault, Assistant Clerk Illinois Pollution Control Board James R. Thompson Center Suite 11-500 100 West Randolph Street Chicago, IL 60601 Jeffrey C. Fort Ariel J. Tesher Sonnenschein Nath & Rosenthal LLP 7800 Sears Tower 233 S. Wacker Drive Chicago, IL 60606-6404

and mailing it from Springfield, Illinois on January 3, 2012, with sufficient postage affixed as indicated above:

Sara G. Terranova