

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

CONOCOPHILLIPS COMPANY,)	
)	
Petitioner,)	
)	
v.)	PCB 12-101
)	Permit Appeal (NPDES)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Illinois Environmental Protection Agency	Rachel R. Medina
Division of Legal Counsel	Office of the Attorney General
1021 North Grand Avenue East	500 South Second Street
Post Office Box 19276	Springfield, IL 62706
Springfield, IL 62794-9276	

Carol Webb
Hearing Officer
Illinois Pollution Control Board
P.O. Box 19274
1021 North Grand Avenue East
Springfield, IL 62794-9274

I filed with the Clerk of the Pollution Control Board of the State of Illinois, James R. Thompson Center, 100 W. Randolph St., Suite 11-500, Chicago, IL 60601, **Amended Agreed Motions and Stipulations**, a copy of which is herewith served upon you.

Respectfully submitted,

/s/ David L. Rieser

David L. Rieser
Much Shelist, P.C.
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CERTIFICATE OF SERVICE

I, David L. Reiser, an attorney, hereby certify that on October 19, 2012, I served the foregoing **Amended Agreed Motions and Stipulations** upon those listed below via the Illinois Pollution Control Board Clerk's Office Online (COOL) electronic filing system:

Illinois Environmental Protection Agency
Division of Legal Counsel
1021 North Grand Avenue East
Post Office Box 19276
Springfield, IL 62794-9276

Carol Webb
Hearing Officer
Illinois Pollution Control Board
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Rachel R. Medina
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/s/ David L. Rieser

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AMENDED AGREED MOTIONS AND STIPULATIONS

The parties to the above appeal submit the following agreed motions and stipulations for consideration by the Hearing Officer and inclusion in the Record.

1. Due to a corporate reorganization of the ConocoPhillips Company, the NPDES permit which is the subject of this appeal is now held by, and the Wood River Refinery operated by the Phillips 66 Company. Petitioner respectfully moves that the caption of this matter be amended so that the Petitioner is identified as the Phillips 66 Company. Respondent has no objection to this motion.

2. The Parties agree and stipulate that the Illinois Environmental Protection Agency shall modify the December 22, 2011 Permit which is the subject of this appeal ("Permit") to delete the stated effluent limits and any monitoring requirements for Dissolved Oxygen from the Permit.

3. The Parties agree and stipulate that the IEPA shall modify the Permit to delete that portion of the heading of Special Condition 15 which states "for outfalls 004, 005, 006, 007, 008 and 009" and replace it with "for all storm water except that which is treated and discharged through Outfalls 001, 002, and 003." In addition, the Parties agree and stipulate that the IEPA shall modify the Permit to delete all of Special Condition 21 relating to Smith Lake.

4. The Parties agree and stipulate that the IEPA shall modify the permit as follows:

SPECIAL CONDITION 28.

Schedule of Compliance with Fecal Coliform Effluent Limitations

Project Description: Permittee shall achieve compliance with the effluent limitations for fecal coliform in two phases. In Phase I Permittee shall evaluate alternative technologies and decide upon an appropriate technology. Unless additional technologies are identified, Permittee shall achieve compliance by segregating the largest sanitary waste streams and treating those waste streams separately. A State Construction Permit shall be applied for on or before a date one year after permit modification if required by Title 35 Ill. Adm. Code Part 309. In Phase II Permittee shall construct and obtain operational level to comply with the effluent limit for fecal coliform. The Permittee may apply to the Illinois Pollution Control Board for an adjusted standard or a site specific rule change or to the IEPA for an exemption pursuant to 35 Ill. Adm. Code 304.121(b).

Unless a site specific rule change or other relief has been granted, the Permittee shall achieve compliance with the effluent limit for fecal coliform as specified in this permit for discharge numbers 001 and 002 by completion of the project described above in accordance with the following compliance schedule:

<u>ITEM</u>	<u>COMPLETION DATE</u>
1. Initial Progress Report	Six months after permit modification
2. Final Phase I Report including conclusions and initial Phase II Report	12 months after permit modification
3. Phase II Progress Report	18 months after permit modification
4. Phase II Progress Report	24 months after permit modification
5. Phase II Progress Report	30 months after permit modification
5. Final Phase II Report and Compliance	36 months after permit modification

Progress reports shall be submitted to the Agency every six months until the operational level has been obtained.


Monitoring of the effluent for fecal coliform is required as specified on pages 2 and 3 of the permit from the effective date of the permit.

Reporting

The permittee shall submit a report no later than fourteen (14) days following the completion dates indicated for each numbered item in the compliance schedule, indicating, a) the date the item was completed, or b) that the item was not completed. All reports shall be submitted to IEPA at the addresses listed in Special Condition 27.

WHEREFORE the Parties respectfully request that the Hearing Officer issue her order consistent with the agreements in this document.

Respectfully submitted,



David L. Rieser



Rachel Medina

Dated: 10/19/12