

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

September 1, 2017

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STATE OF ILLINOIS
Pollution Control Board

EXXONMOBIL OIL CORPORATION,)	
)	
Petitioner,)	
)	
v.)	
)	IEPA - 18-001
ILLINOIS ENVIRONMENTAL PROTECTION)	
AGENCY,)	(Provisional
)	Variance - Air)
Respondent)	

Re: Request for Provisional Variance

On August 31, 2017, the Illinois Environmental Protection Agency ("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 without the requisite vapor control unit. The Illinois EPA accepted this request for review pursuant to the requirements of the Illinois Environmental Protection Act ("Act").

The Illinois EPA evaluated the request under the requirements of Sections 35, 36, and 37 of the Act. The Illinois EPA is granting ExxonMobil's request for provisional variance as an arbitrary and unreasonable hardship may result in the event of a denial. More specifically, in light of catastrophic events that have occurred as a result of Hurricane Harvey, regulatory relief requested by ExxonMobil is intended to facilitate a higher volume 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 relief from permit condition 1.3(d) contained within Construction permit number 11080040 and 35 Ill. Adm. Code Part 218 Subpart GG (Marine Terminals). The Illinois EPA is granting relief from condition 1.3(d) and the applicable requirements of 35 Ill. Adm. Code Sections 218.762 (Control Requirements), Section 218.764 (Compliance Certification), Section 218.766 (Leaks), Section 218.768 (Testing and Monitoring), and Section 218.770 (Recordkeeping and Reporting). Relief is granted until such time as relief barge loading operations have concluded or September 22, 2107, whichever occurs first.

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

1. 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 November 1, 2017, a report detailing the information required by 1(a) and (b) above.



John J. Kim
Chief Legal Counsel

cc: IPCB, Clerk