

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE PREMCOR REFINING)	
GROUP INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 2010-55
)	(CAAPP Permit Appeal)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY,)	
)	
Respondent.)	

NOTICE OF FILING

TO: Mr. John Therriault	Carol Webb, Esq.
Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
100 West Randolph Street	1021 North Grand Avenue East
Suite 11-500	Post Office Box 19274
Chicago, Illinois 60601	Springfield, Illinois 62794-9274
(VIA ELECTRONIC MAIL)	(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 OPEN WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is herewith served upon you.

Respectfully submitted,

THE PREMCOR REFINING GROUP INC.,
Petitioner,

Dated: November 6, 2013

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

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

CERTIFICATE OF SERVICE

I, Katherine D. Hodge, the undersigned, certify that I have served the attached

NOTICE OF OPEN WAIVER OF 120-DAY DECISION DEADLINE upon:

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

via electronic mail on November 6, 2013; and upon:

Carol Webb, Esq.
Hearing Officer
Illinois Pollution Control Board
1021 North Grand Avenue East
Post Office Box 19274
Springfield, Illinois 62794-9274

Robb H. Layman, Esq.
Division of Legal Counsel
Illinois Environmental Protection Agency
1021 North Grand Avenue East
P.O. Box 19276
Springfield, Illinois 62794-9276

by depositing said documents in the United States Mail in Springfield, Illinois, postage prepaid, on November 6, 2013.

/s/ Katherine D. Hodge
Katherine D. Hodge

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**NOTICE OF OPEN WAIVER
OF 120-DAY DECISION DEADLINE**

NOW COMES Petitioner, THE PREMCOR REFINING GROUP INC. (“Petitioner”), by and through its attorneys, HODGE DWYER & DRIVER, pursuant to 35 Ill. Admin. Code § 101.308(c)(2), and hereby agrees to An open waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”), in the above-referenced proceeding. In support of this Notice, the Petitioner states as follows:

1. On December 9, 2009, Petitioner reissued a Clean Air Act Permit Program Permit (“CAAPP”) that was the subject of appeal in *The Premcor Refining Group Inc. v. Illinois Environmental Protection Agency*, PCB 07-30.
2. On January 27, 2010, Petitioner filed a Petition requesting a hearing on the Illinois Environmental Protection Agency’s (“Illinois EPA”) action to issue a CAAPP permit in a fashion that does not reflect the current applicable requirements or the current operation of the facility, and also filed a Motion to Stay Effectiveness of the CAAPP Permit.
3. On February 4, 2010, the Board accepted Petitioner’s petition for hearing.

4. The current decision deadline is March 20, 2014.

5. Petitioner hereby voluntarily agrees to an open waiver of the statutory 120-day decision deadline in order to conduct settlement negotiations in this matter.

WHEREFORE, Petitioner, THE PREMCOR REFINING GROUP INC., prays that the Illinois Pollution Control Board accepts this open waiver of the statutory 120-day decision deadline for final action on Petitioner's Petition for Review.

Respectfully submitted,

THE PREMCOR REFINING
GROUP INC.,
Petitioner,

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

Dated: November 6, 2013

Katherine D. Hodge
HODGE DWYER & DRIVER
3150 Roland Avenue
Post Office Box 5776
Springfield, Illinois 62705-5776
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