

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PREMCOR REFINING GROUP, INC,)	
Petitioners,)	
)	
v.)	PCB 26-
)	(RCRA – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION)	Extension)
AGENCY,)	
Respondent.)	

NOTICE

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

The Premcor Refining Group, Inc.
Attn: Thomas Mroz
 Kathryn Hussong
One Valero Way
San Antonio, TX 78249-1616
Kathryn.hussong@valero.com

PLEASE TAKE NOTICE that I have today caused to be filed a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** with the Illinois Pollution Control Board, copies of which are served upon you.

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A. Jarvis
Deputy Chief Counsel – Land Enforcement
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
melanie.jarvis@illinois.gov
Dated: March 25, 2026

THIS FILING IS SUBMITTED ON RECYCLED PAPER

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

PREMCOR REFINING GROUP, INC,)	
Petitioners,)	
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v.)	PCB 26-
)	(RCRA – Ninety Day
ILLINOIS ENVIRONMENTAL PROTECTION)	Extension)
AGENCY,)	
Respondent.)	

REQUEST FOR NINETY DAY EXTENSION
OF APPEAL PERIOD

NOW COMES the Respondent, the Illinois Environmental Protection Agency (“Illinois EPA”), by one of its attorneys, Melanie A. Jarvis, Assistant Counsel, and, pursuant to Section 40(a)(1) of the Illinois Environmental Protection Act (415 ILCS 5/40(a)(1)) and 35 Ill. Adm. Code 105.208, hereby requests that the Illinois Pollution Control Board (“Board”) grant an extension of the thirty-five (35) day period for petitioning for a hearing to October 27, 2026, or any other date not more than a total of one hundred twenty-five (125) days from the date of receipt of the Illinois EPA’s final decision. In support thereof, the Illinois EPA respectfully states as follows:

1. On or about February 23, 2026, the Illinois EPA issued a final decision to the Petitioner.
2. On March 18, 2026, the Petitioner made a request to the Illinois EPA for an extension of time by which to file a petition for review, asking the Illinois EPA to join in requesting that the Board extend the thirty-five-day period for filing a petition by ninety days. Upon information and belief, Petitioner received the final decision on or about February 28, 2026.
3. The additional time requested by the parties may eliminate the need for a hearing in this matter or, in the alternative, allow the parties to identify issues and limit the scope of any hearing that may be necessary to resolve this matter.

WHEREFORE, for the reasons stated above, the parties request that the Board, in the interest of administrative and judicial economy, grant this request for a ninety-day extension of the thirty-five-day period for petitioning for a hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A Jarvis
Deputy Chief Counsel – Land Enforcement
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
866/273-5488 (TDD)
melanie.jarvis@illinois.gov
Dated: March 25, 2026

THIS FILING IS SUBMITTED ON RECYCLED PAPER

CERTIFICATE OF SERVICE

I, the undersigned attorney at law, hereby certify that on March 25, 2026, I served true and correct copies of a **REQUEST FOR NINETY DAY EXTENSION OF APPEAL PERIOD** by the method(s) and to the persons identified below:

Electronic Service

Don Brown, Clerk
Illinois Pollution Control Board
60 East Van Buren St., Suite 630
Chicago, IL 60605
don.brown@illinois.gov

The Premcor Refining Group, Inc.
Attn: Thomas Mroz
Kathryn Hussong
One Valero Way
San Antonio, TX 78249-1616
Kathryn.hussong@valero.com

ILLINOIS ENVIRONMENTAL PROTECTION AGENCY



Melanie A. Jarvis
Deputy Chief Counsel – Land Enforcement
Division of Legal Counsel
P.O. Box 19276
Springfield, Illinois 62794-9276
217/782-5544
866/273-5488 (TDD)
melanie.jarvis@illinois.gov



Kathryn Hussong
Associate Counsel

March 18, 2026

Via Certified Mail #7019 2970 0001 2442 0457

ATTN: Melanie.Jarvis@Illinois.gov

Illinois Environmental Protection Agency
Division of Legal Counsel
2520 West Illes Avenue
Springfield, IL 62704

Re: 119050002—Madison County
The Premcor Refining Group, Inc.
ILD041889023
RCRA Log No. CO-2-CA-21
RCRA Permit—24A
Permit CA

To Who It May Concern:

The Premcor Refining Group, Inc. ("Premcor") is requesting a 90-day extension to appeal the final agency action regarding the Corrective Measures Completion Report for the Soil Vapor Extraction System (the "Plan"), dated April 10, 2025, and received by the Illinois Environmental Protection Agency ("IEPA") on April 14, 2025 (Log No. CO-2-CA-21). IEPA issued final determination of the Plan via certified mail on February 23, 2026, which was received by Premcor on February 28, 2026 (copy attached hereto).

Section 40 of the Illinois Environmental Protection Act provides Premcor with thirty-five (35) days from the issuance of the final determinations to appeal IEPA's final action, but with written notice from Premcor and IEPA, the thirty-five (35) day period may be extended for ninety (90) days. This letter is timely submitted within 35-days of February 23, 2026. Premcor requests a 90-day extension of the 35-day period to file a petition for appeal of the above-referenced final action.¹

If you have any questions, please feel free to contact me at 210.345.1893 or kathryn.hussong@valero.com.

Respectfully,

A handwritten signature in blue ink that reads 'Kathryn Hussong'.

Kathryn Hussong
Associate Counsel
The Premcor Refining Group Inc.

¹ In a separate submittal, Premcor is simultaneously notifying IEPA and the Attorney General's Office pursuant to Section X.B. of the Consent Order in *People v. The Premcor Refining Group*, 03-CH-459 (Madison County).

Melanie Jarvis
March 18, 2026
Page 2

Attachments: IEPA Final Agency Action Dated February 23, 2026

cc: J. Michael Hawthorne, GEI Consultants (electronic copy)
Camille Carter, GEI Consultants (electronic copy)



217/524-3301

CERTIFIED MAIL
RETURN RECEIPT REQUESTED

9589 0710 5270 2887 2253 37

FEB 23 2026

The Premcor Refining Group, Inc.
Attention: Mr. Thomas Mroz
One Valero Way
San Antonio, Texas 78249-1112

Re: 1190500002 -- Madison County
The Premcor Refining Group, Inc.
ILD041889023
RCRA Log No. CO-2-CA-21
RCRA Permit – 24A
Permit CA

Dear Mr. Mroz:

This letter is in response to the following submittal submitted by J. Michael Hawthorne, P.G. and Camille Carter, GEI Consultants, Inc. on behalf of the Premcor Refining Group, Inc. (Premcor) to meet the requirements of the Consent Order between Premcor and the State of Illinois (Document No. 03-CH-459, finalized on July 26, 2018) (Consent Order):

1. Corrective Measures Completion Report for the Soil Vapor Extraction System, dated April 10, 2025, and received by the Illinois EPA on April 14, 2025. The report was assigned a Log No. of CO-2-CA-21.

The subject submittal requests Illinois EPA approval for the transition from operating the Soil Vapor Extraction (SVE) System to Monitored Natural Source Zone Depletion (MNSZD) and Monitored Natural Attenuation (MNA) along the Western Property Boundary Line (WPBL) in accordance with the Strategic, Tactical, and Operational Plan for Site-Wide Investigation / Remediation Work (Strategic Plan, GEI 2018).

The Illinois EPA has reviewed the subject submittal and has determined that it cannot be approved at this time for the following reasons:

1. The Strategic Plan requires that the effectiveness of MNA and MNSZD versus bioventing and/or SVE will be reviewed every five (5) years and documented in a 5-year evaluation

report. It further states that if MNA and MNSZD are more effective than bioventing and/or SVE, a request to cease operation of the bioventing and/or SVE will be submitted in a Corrective Measures Completion Report (CMCR) for Illinois EPA review and approval. Due to the large data gap (time reviewed is only one year within the WPBL and only two years site wide instead of a full five years) between the requirements of the Strategic Plan and the data presented to evaluate the effectiveness of MNSZD in the subject submittal, the Illinois EPA has determined that submission of the CMCR is premature and cannot be approved at this time.

2. The presentation of data included in the subject submittal and the referenced Annual Progress Reports is not technically adequate to support an evaluation of the effectiveness of MNSZD. All data and calculations used in the evaluation of the effectiveness of MNSZD should be included in the CMCR. Sufficient calculations to demonstrate achievement of the conclusions proposed by the facility must be included in the CMCR. A complete narrative description of the process employed to produce conclusions must also be included in the CMCR.
3. The information provided in support of the Degassing Method is insufficient for the Illinois EPA to determine if this method was applied appropriately at the facility. An adequate description of the method is provided in the MNSZD Work Plan, but a proposal to use the Degassing Method should include a narrative description of how the method is applied, input values and how they were determined, calculations demonstrating how conclusions are reached, and relevant data.
4. It appears the single estimated MNSZD rate for the WPBL was not determined appropriately. In accordance with ASTM E3361-22, if there are measured natural attenuation rates from application of other methods besides the Degassing Method in the vadose zone, these rates cannot be combined.
5. The subject submittal does not provide a direct comparison of the effectiveness of SVE versus MNSZD in the WPBL, as the effectiveness of SVE was evaluated in wells screened in the North Olive and the Main Silt while the effectiveness of MNSZD was evaluated in wells screened in the North Olive, EPA Stratum/Main Sand, and the Main Sand Below the D Clay.
6. As stated in the previous letter (Log No. B-215-CA-9), the following conditions still need to be addressed:
 - a) For any soil contamination above the groundwater saturated zone, the applicable chemical saturation levels (C_{sat}), soil attenuation limits, or total petroleum hydrocarbon (TPH) above the soil attenuation limits as set forth in 35 IAC Part 742 (Tiered Approaches to Corrective Action- TACO) are considered the source materials and will need to be remediated below the afore-mentioned levels prior to applying TACO remedial objectives.

As noted in the Strategic Plan, the proposed MNSZD may be used where it is applicable for soil. As required in 35 IAC 742.120 and 300 (b), characterization of any soil contamination that would be considered source materials must be clearly identified in any of the areas considered to have the proposed MNSZD monitoring areas and ensure that the soil source materials are not contributing to groundwater contamination as well as all other ingestion and inhalation (outdoor and indoor) exposure routes to meet TACO remedial objectives.

- b) When the proposed MNSZD is to be applied to the contaminated soils above the saturated zone for each specific area, the facility must provide a soil specific workplan to the Illinois EPA to implement the proposed MNSZD. Such workplan must include additional background conditions and proposed soil-specific plans for sampling, monitoring, and reporting. Such plan must also include the estimated: (1) amount of hydrocarbons to be remediated to reach the remedial goal; and (2) timeframe for no further action levels at each remediation area. Such plan should also include estimated degradation rates in soil when it is considered for soil contamination (i.e. differentiation from groundwater degradation). Furthermore, the workplan for media above the groundwater saturated zone must specifically address how the natural degradation in soil is monitored periodically by actual contaminated soil/soil gas sampling to eventually meet remedial objectives for the site developed in accordance with TACO.
7. It appears that the temperature versus elevation graphs (Figures 3A, 3B, etc.) for wells RSVE-01, RSVE-04, RSVE-45A, RSVE-07, RSVE-08, RSVE-09, and RSVE-10 in the 2023 Annual Progress Report, including the Fourth Quarter 2023 Quarterly Status Report, Premcor Facility Errata, (Attachment A), do not include the linear equations used to calculate the temperature gradients (dT/dz , both upward and downward). Without these equations, it is difficult to verify accurately the calculated MNSZD rates.

This action shall constitute the Illinois EPA's final action on the subject submittal. The applicant may appeal this final decision to the Illinois Pollution Control Board pursuant to Section 40 of the Illinois Environmental Protection Act by filing a petition for a hearing within thirty-five (35) days after the date of issuance of the final decision. However, the 35-day period may be extended for a period of time not to exceed 90 days by written notice from the applicant and the Illinois EPA within the initial 35-day appeal period. If the owner or operator wishes to receive a 90-day extension, a written request that includes a statement of the date the final decision was received, along with a copy of this decision, must be sent to the Illinois EPA as soon as possible. For information regarding the request for an extension, please contact:

Illinois Environmental Protection Agency
Division of Legal Counsel
2520 West Iles Avenue
Post Office Box 19276
Springfield, IL 62794-9276
217/782-5544

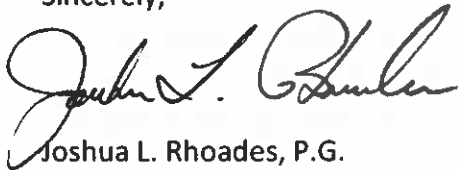
For information regarding the filing of an appeal, please contact:

Illinois Pollution Control Board
60 East Van Buren Street, Suite 630
Chicago, IL 60605-1241
312/814-3620

Work required by this letter, this submittal, or the regulations may also be subject to other laws governing professional services, such as the Illinois Professional Land Surveyor Act of 1989, the Professional Engineering Practice Act of 1989, the Professional Geologist Licensing Act, and the Structural Engineering Licensing Act of 1989. This letter does not relieve anyone from compliance with these laws and the regulations adopted pursuant to these laws. All work that falls within the scope and definitions of these laws must be performed in compliance with them. The Illinois EPA may refer any discovered violation of these laws to the appropriate regulating authority.

If there are any questions regarding this project related to groundwater issues, please contact Dana Austin, P.G., by phone at 217/785-7427 or by email at dana.austin@illinois.gov. For all other questions, please contact Omar Faruk, E.I.T., by phone at 217/557-9764 or by email at omar.faruk@illinois.gov.

Sincerely,



Joshua L. Rhoades, P.G.
Permit Section Manager
Bureau of Land

JLR:OF: 1190500002-CO-2-CA-21-Denial.docx

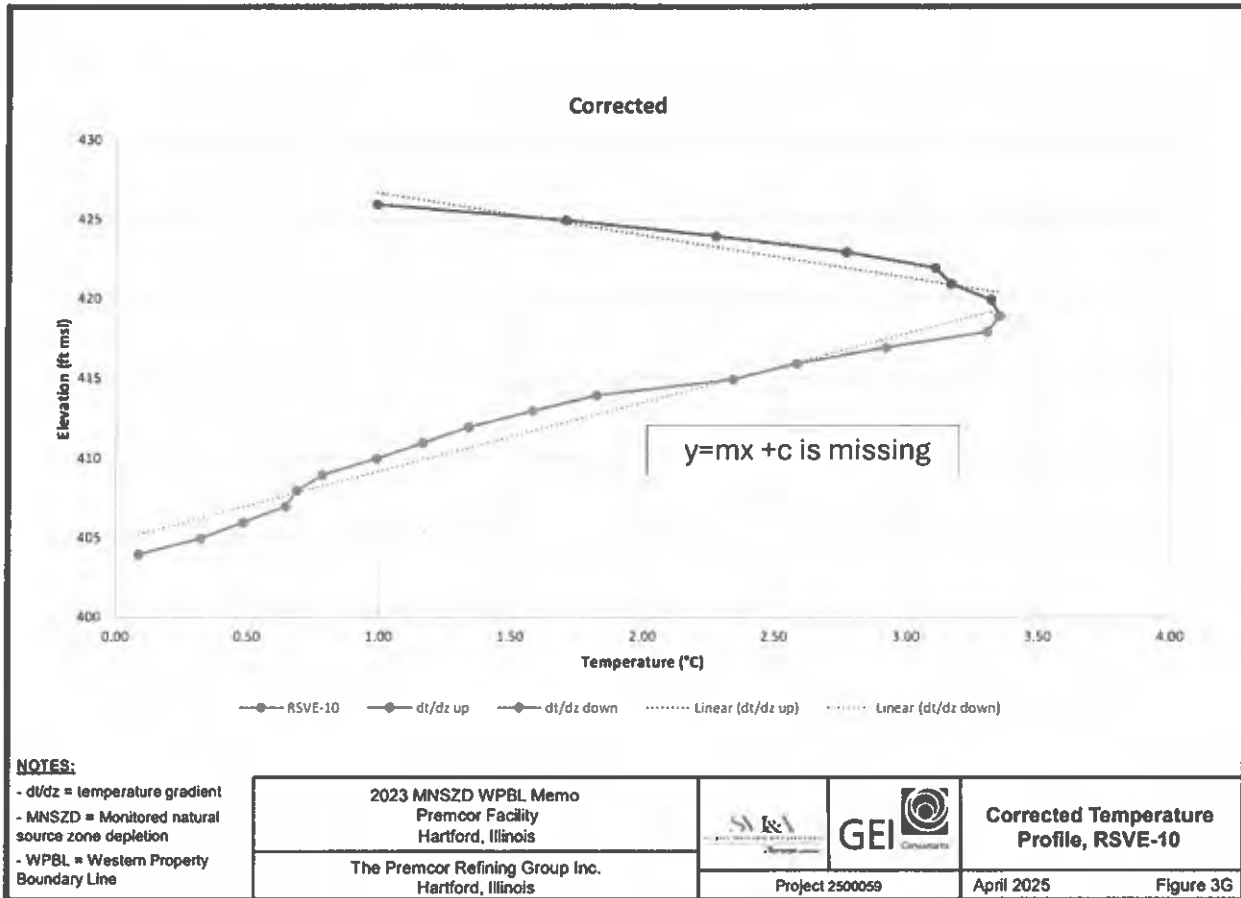
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Attachments: A. Temperature Profile
B. Western Property Boundary Map

cc: Thomas Mroz, Premcor Refining Group
J. Michael Hawthorne, GEI Consultants (electronic copy)
Camille Carter, GEI Consultants (electronic copy)

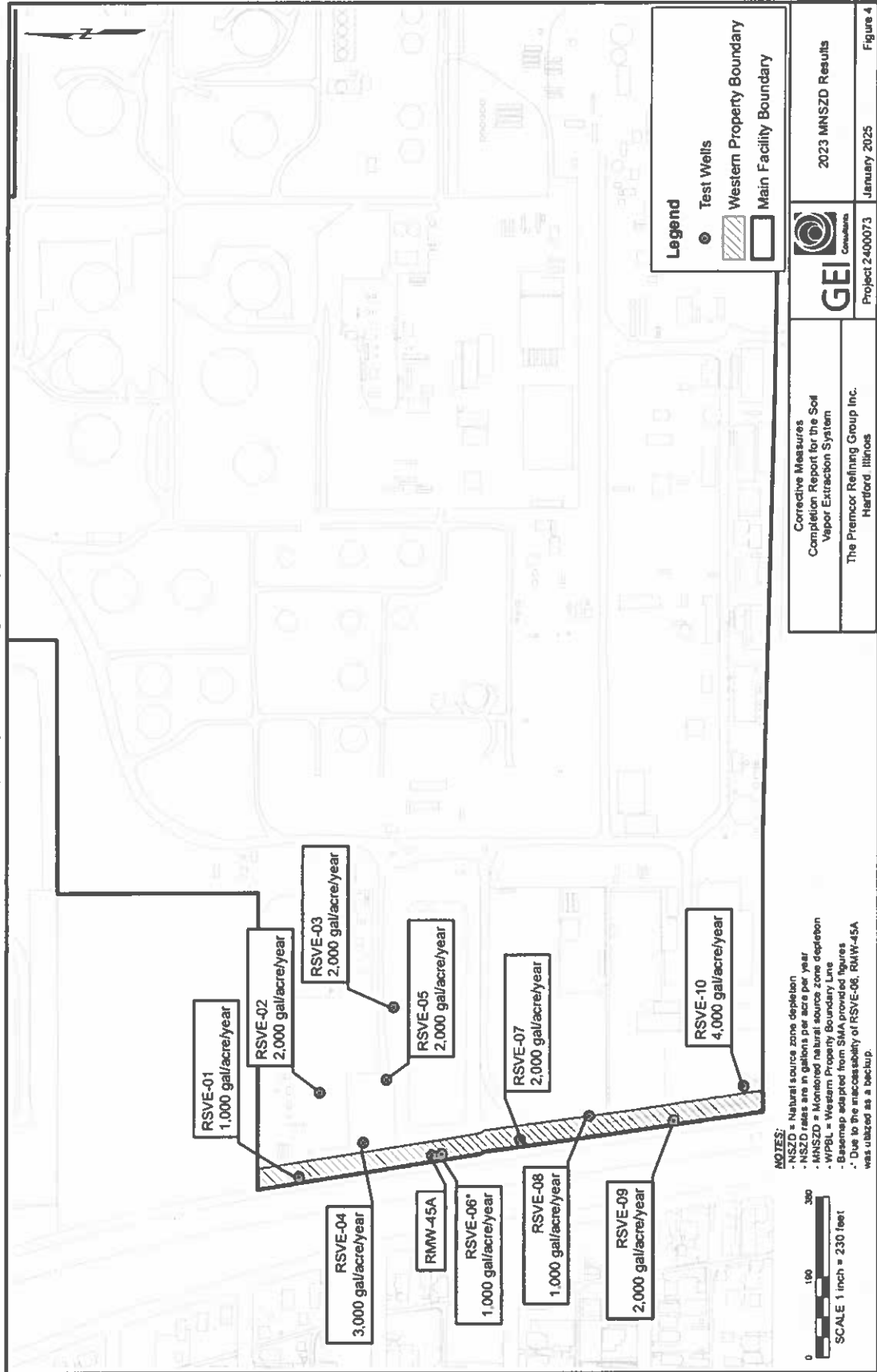
Attachment A

Temperature Profile



Attachment B

Western Property Boundary Map



B:\Premcor06_GEI_CAD_Repository\PremcorMain Facility SVE_Execution\Fig 4_MNSZD Results.mxd

