Electronic Filing: Received, Clerk's Office 08/17/2026

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE PREMCOR REFINING GROUP, INC.)		
	)	
Petitioner,	)	
	)	PCB 2026-050
v.	)	(Permit Appeal – RCRA)
	)	
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

NOTICE OF FILING

TO: Mr. Don A. Brown
Clerk of the Board
Illinois Pollution Control Board
60 E Van Buren Street, Suite 630
Chicago, Illinois 60605

Carol Webb
Hearing Officer
Illinois Pollution Control Board
2520 W. Iles Avenue
Springfield, Illinois 692704

VIA ELECTRONIC MAIL)

(SEE PERSONS ON ATTACHED SERVICE LIST)

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board, **MOTION TO STAY PROCEEDINGS AND STATUS REPORT** on behalf of The Premcor Refining Group Inc., copies of which are hereby served upon you.

Respectfully submitted,

The Premcor Refining Group, Inc.

Dated: August 17, 2026

By: /s/ *Melissa S. Brown*
One of its Attorneys

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CERTIFICATE OF SERVICE

I, the undersigned, on oath state the following: That I have caused to be served the attached: **Motion to Stay Proceedings and Status Report,** on August 17, 2026 to the following:

Don Brown
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That my email address is Melissa.Brown@heplerbroom.com

That the number of pages in the email transmission is 6.

That this email transmission took place before 4:30 p.m. on August 17, 2026.

Date: August 17, 2026

/s/ Melissa S. Brown
Melissa S. Brown

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

THE PREMCOR REFINING GROUP INC.	)	
	)	
Petitioner,	)	
	)	PCB 26-50
v.	)	(Permit Appeal – RCRA)
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

MOTION TO STAY PROCEEDINGS AND STATUS REPORT

Petitioner, THE PREMCOR REFINING GROUP INC. ("Premcor"), by and through its attorney, pursuant to 35 Ill. Adm. Code 101.514, hereby moves the Illinois Pollution Control Board ("Board") to stay the above-referenced proceeding. In support of this Motion, Petitioner states as follows:

1. On July 6, 2026, Petitioner filed a Petition for Review ("Petition") of the Illinois Environmental Protection Agency's ("Illinois EPA") February 23, 2026 final decision disapproving Premcor's Corrective Measures Completion Report for the Soil Vapor Extraction System ("CMCR"). Petition for Review of Final Decision, *The Premcor Refining Group v. Illinois EPA*, PCB 26-50 (Ill.Pol.Control.Bd. July 6, 2026).

2. On July 9, 2026, the Board accepted the Petition for hearing. Board Order, *The Premcor Refining Group v. Illinois EPA*, PCB 26-50, (Ill.Pol.Control.Bd. July 9, 2026).

3. On July 14, 2026, Petitioner submitted a notice of open waiver of the 120-day statutory decision deadline. Notice of Open Waiver of 120-Day Decision Deadline, *The Premcor Refining Group v. Illinois EPA*, PCB 26-50 (Ill.Pol.Control.Bd. July 14, 2026).

4. As explained in the Petition, Premcor was a defendant in a suit that was resolved via a Consent Order in July 2018. Petition, PCB 26-50, at 1-3 (citing *People v. The Premcor Refining Group, Inc*., et al., 03-CH-459 (3d Cir. Madison County)).

5. A Strategic, Tactical, and Operational Plan for Site-Wide Investigation/Remediation Work ("Strategic Plan") was developed to present "the pathway to site closure" and "defines the final remedial action plan for" the Site at issue. *Id*. at 2-3 (citing SR000644 – SR000645).

6. The Strategic Plan provides a process for transition from the Soil Vapor Extraction System to Monitored Natural Source Zone Depletion and Monitored Natural Attenuation. *Id*. at 3-4 (citing SR000686 – SR000687). The process includes submittal of a Corrective Measures Completion Report. *Id*. at 4 (citing SR000715).

7. The Strategic Plan was incorporated into the Consent Order. *Id*. at 3 (citing SR000115, SR000636-SR000735).

8. The 2018 Consent Order included provisions concerning dispute resolution, which include a process for allowing for informal negotiation between the State and Premcor and, if needed, judicial resolution, for disputes arising under the Consent Order. *Id*. at 3 (citing SR000110 – SR000112).

9. Petitioner intends to pursue the dispute resolution process as provided for in the Consent Order, including pursuing informal negotiations between the State of Illinois and Premcor, concerning Illinois EPA's February 23, 2026 disapproval of the CMCR.

10. Section 101.514 of the Board's regulations provides:

> Motions to stay a proceeding must be directed to the Board and must be accompanied by sufficient information detailing why a stay is needed, and in decision deadline proceedings, by a waiver of any decision deadline. A

> status report detailing the progress of the proceeding must be included in the motion. (See also Section 101.308.)

35 Ill. Adm. Code 101.514(a).

11. In order to avoid expending additional resources and duplicative efforts by simultaneously pursuing this appeal, Premcor requests a stay of the proceedings while Premcor pursues the dispute resolution process under the Consent Order.

12. Petitioner requests a stay of the proceeding for six (6) months.

13. If granted, at the end of the stay, Petitioner will file a written status report with the Board and, if needed, will request an extension of the stay at that time.

14. Counsel for Petitioner has conferred with counsel for Respondent and counsel for Respondent indicated that Respondent does not object to the granting of this Motion.

STATUS REPORT

15. On March 17, 2026, Premcor submitted notice to the State of Illinois invoking the dispute resolution provisions under Section X.B of the Consent Order.

16. On March 20, 2026, Illinois EPA submitted a letter to Premcor acknowledging receipt of the notice and indicated its availability to discuss the dispute informally.

17. On April 10, 2026, Premcor provided Illinois EPA with an initial framework and timeline for resolving the dispute informally (the “Framework Document”). On April 16, 2026, Illinois EPA agreed to the Framework Document.

18. Premcor and Illinois EPA held a technical meeting on May 7, 2026, to discuss the issues in dispute and develop a path forward. Following that meeting, Premcor submitted Data Package No. 1, and Premcor subsequently submitted Data Package No. 2 on June 18, 2026. Premcor submitted Data Package No. 3 to Illinois EPA on August 5, 2026.

WHEREFORE, Petitioner, THE PREMCOR REFINING GROUP INC., respectfully requests that the Illinois Pollution Control Board grants this Motion for Stay of Proceedings and enter an order staying this proceeding for six months.

Respectfully submitted,

THE PREMCOR REFINING GROUP INC.,
Petitioner,

Dated: August 17, 2026

By: */s/ Melissa S. Brown*
One of Its Attorneys

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