

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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DEC 26 2007

STATE OF ILLINOIS
Pollution Control Board

CITGO PETROLEUM CORPORATION and)
PDV MIDWEST REFINING, L.L.C.,)

Petitioners,)

v.)

ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)

Respondent.)

PCB 08-33
(Variance- Water)

NOTICE

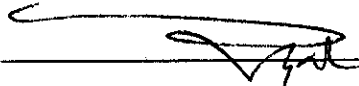
John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

Jeffrey C. Fort
Ariel J. Teshler
Sonnenschein Nath & Rosenthal LLP
7800 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6404

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Pollution Control Board an APPEARANCE and MOTION FOR EXTENSION OF TIME TO PUBLISH NOTICE of the Illinois Environmental Protection Agency, a copy of which is herewith served upon you.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

Sanjay K. Sofat
Assistant Counsel
Division of Legal Counsel

Dated: December 21, 2007
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217/782-5544

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A P P E A R A N C E

The undersigned, as one of its attorneys, hereby enters an APPEARANCE on behalf of the Respondent, Illinois Environmental Protection Agency.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: 

Sanjay K. Sofat
Assistant Counsel
Division of Legal Counsel

Dated: December 21, 2007
1021 N. Grand Avenue East
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 Petitioners,)
)
 v.)
)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

PCB 08-33
(Variance- Water)

MOTION FOR EXTENSION OF TIME TO PUBLISH NOTICE

NOW COMES the Respondent, ILLINOIS ENVIRONMENTAL PROTECTION AGENCY ("Illinois EPA"), by one of its attorneys, Sanjay K. Sofat, and moves the Illinois Pollution Control Board ("Board") to extend the time that the Illinois EPA has to publish notice of the instant variance petition. In support of this motion, the Illinois EPA states as follows:

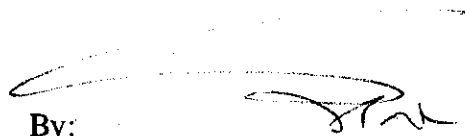
1. On November 14, 2007, CITGO Petroleum and PDV Midwest Refining, L.L.C. ("Petitioners ") filed a petition for extension of its variance from 35 Ill. Adm. Code 302.208(g) and 302.407, for Total Dissolved Solids ("TDS").
2. The Division of Legal Counsel received a copy of the instant petition on November 19, 2007, addressed to Assistant Attorney James A. Day.
3. Assistant Attorney James A. Day left the Agency on December 13, 2007.
4. The undersigned attorney was then assigned to this case.
5. As required by 35 Ill. Adm. Code 104.140(b), the Illinois EPA was unable to have the

public notice published within fourteen (14) days after the filing of the instant petition.

6. Because the undersigned was just recently re-assigned to this case, the attorney needs additional time to get acquainted with the subject matter of Petitioners' petition.
7. Petitioners will suffer no prejudice should the Illinois EPA be granted an extension of thirty (30) days time to publish notice of the instant petition.

WHEREFORE, the Illinois EPA requests a thirty (30) day extension to publish notice of the instant petition.

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By:  _____

Sanjay K. Sofat
Assistant Counsel
Division of Legal Counsel

Dated: December 21, 2007
1021 N. Grand Avenue East
P.O. Box 19276
Springfield, IL 62794-9276
217/782-5544

STATE OF ILLINOIS)

COUNTY OF SANGAMON)

PROOF OF SERVICE

I, the undersigned, on oath state that I have served the attached an **APPEARANCE** and **MOTION FOR EXTENSION OF TIME TO PUBLISH NOTICE** upon the persons to whom it is directed, by placing a copy in an envelope addressed to:

John Therriault, Assistant Clerk
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

Jeffrey C. Fort
Ariel J. Teshner
Sonnenschein Nath & Rosenthal LLP
7800 Sears Tower
233 S. Wacker Drive
Chicago, IL 60606-6404

Bradley Halloran, Hearing Officer
Illinois Pollution Control Board
James R. Thompson Center
Suite 11-500
100 West Randolph Street
Chicago, IL 60601

and mailing it from Springfield, Illinois on December 21, 2007, with sufficient postage affixed as indicated above:

Sara Gilmore

SUBSCRIBED AND SWORN TO BEFORE ME

this 21st day of December, 2007

Brenda Boehner
Notary Public

