

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.
Assistant 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
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **NOTICE OF LIMITED WAIVER OF 120-DAY DECISION DEADLINE**, a copy of which is herewith served upon you.

Respectfully submitted,

THE PREMCOR REFINING GROUP INC.,  
Petitioner,

Dated: February 26, 2010

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

Katherine D. Hodge  
Monica T. Rios  
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 LIMITED WAIVER OF 120-DAY DECISION DEADLINE upon:

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

via electronic mail on February 26, 2010; 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 February 26, 2010.

/s/ Katherine D. Hodge  
Katherine D. Hodge

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	)	(CAAPP Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF LIMITED 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 a limited waiver of the statutory 120-day decision deadline for final action by the Illinois Pollution Control Board (“Board”), in the above-referenced proceeding, until June 17, 2010. 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.

Electronic Filing - Received, Clerk's Office, February 26, 2010

4. The current decision deadline is May 20, 2010.

5. Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline, until June 17, 2010, 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 limited waiver of the statutory 120-day decision deadline until June 17, 2010, 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: February 26, 2010

Katherine D. Hodge  
Monica T. Rios  
HODGE DWYER & DRIVER  
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PREM:013/Filings/PCB 10-55/Notice of Waiver