

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

|                             |   |                  |
|-----------------------------|---|------------------|
| EXXONMOBIL OIL CORPORATION, | ) |                  |
|                             | ) |                  |
| Petitioner,                 | ) |                  |
|                             | ) |                  |
| v.                          | ) | PCB 11-86        |
|                             | ) | (Variance - Air) |
| ILLINOIS ENVIRONMENTAL      | ) |                  |
| PROTECTION AGENCY,          | ) |                  |
|                             | ) |                  |
| Respondent.                 | ) |                  |

**NOTICE OF FILING**

|                                  |                                  |
|----------------------------------|----------------------------------|
| TO: Mr. John T. Therriault       | Bradley P. Halloran, Esq.        |
| Assistant Clerk of the Board     | Hearing Officer                  |
| Illinois Pollution Control Board | Illinois Pollution Control Board |
| James R. Thompson Center         | 100 West Randolph Street         |
| 100 West Randolph, Suite 11-500  | Suite 11-500                     |
| Chicago, Illinois 60601          | Chicago, Illinois 60601          |
| <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,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

Dated: June 24, 2011

By: /s/ Monica T. Rios  
One of Its Attorneys

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

**CERTIFICATE OF SERVICE**

I, Monica T. Rios, the undersigned, hereby certify that I have served the attached

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

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

via electronic mail on June 24, 2011; and upon:

Gina Roccaforte, Esq.  
Illinois Environmental Protection Agency  
1021 North Grand Avenue East  
Post Office Box 19276  
Springfield, Illinois 62794-9276

Bradley P. Halloran, Esq.  
Hearing Officer  
Illinois Pollution Control Board  
100 West Randolph Street  
Suite 11-500  
Chicago, Illinois 60601

by depositing said documents in the United States Mail, postage prepaid, in Springfield,  
Illinois on June 24, 2011.

By: /s/ Monica T. Rios  
Monica T. Rios

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| PROTECTION AGENCY,          | ) |                  |
|                             | ) |                  |
| Respondent.                 | ) |                  |

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

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION (“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 this proceeding until October 20, 2011. In support of this Notice, Petitioner states as follows:

1. On May 18, 2011, Petitioner filed a Petition for Review for a variance from the December 31, 2014 deadline for compliance with the applicable requirements of 35 Ill. Admin. Code Part 217, Subparts A, D, E, F, and Appendix H (“NO<sub>x</sub> RACT Rule”).
2. On May 23, 2011, the Board accepted the Petition, and, in its discretion, concluded that a hearing would be advisable. The Board directed that this matter proceed to hearing as expeditiously as practicable. Board Order, *ExxonMobil Oil Corporation v. Illinois EPA*, PCB No. 11-86 (Ill.Pol.Control.Bd. May 23, 2011).
3. The current decision deadline is September 15, 2011.
4. Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline until October 20, 2011, in order to provide sufficient time to hold a hearing and submit post-hearing briefs in this matter.

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION, prays that the Illinois Pollution Control Board accept this limited waiver of the statutory 120-day decision deadline for final action on Petitioner's request for variance.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

Dated: June 24, 2011

By: /s/ Monica T. Rios  
Monica T. Rios

Katherine D. Hodge  
Monica T. Rios  
HODGE DWYER & DRIVER  
3150 Roland Avenue  
Post Office Box 5776  
Springfield, Illinois 62705-5776  
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MOBO:027/Fil/PCB 11-86/Notice of Limited Waiver