

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
(VIA ELECTRONIC MAIL)	(VIA FIRST CLASS MAIL)

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: July 22, 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 July 22, 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 July 22, 2011.

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

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

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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 November 17, 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 ("NOx 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) (hereafter cited as "PCB No. 11-86").
3. The current decision deadline is October 20, 2011.

4. On July 15, 2011, Petitioners and Respondent filed a Joint Motion for Extension of Time requesting that Respondent have until August 15, 2011 to file its recommendation in this matter. At the request of Illinois EPA, additional time is needed in order to consider the impact of the forthcoming ozone standard (expected to be issued on July 29, 2011) on the Petition. Joint Motion for Extension of Time, PCB No. 11-86 (Ill.Pol.Control.Bd. July 15, 2011)

5. Petitioner hereby voluntarily agrees to a limited waiver of the statutory 120-day decision deadline until November 17, 2011, in order to accommodate the extension of the recommendation deadline, 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: July 22, 2011

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

Katherine D. Hodge
Monica T. Rios
HODGE DWYER & DRIVER
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