

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 **MOTION TO CANCEL HEARING**, 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

MOTION TO CANCEL HEARING 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:

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

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

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

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PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**MOTION TO CANCEL HEARING**

NOW COMES Petitioner, EXXONMOBIL OIL CORPORATION ("Petitioner"), by and through its attorneys, and pursuant to 35 Ill. Admin. Code § 101.510, hereby moves that the Hearing Officer cancel the hearing in the above-referenced matter set for August 4, 2011.

1. On July 15, 2011, as a result of discussions between the parties, Petitioner and Respondent filed a Joint Motion for Extension of Time requesting an extension of time until August 15, 2011 for Respondent to file its recommendation in this matter.

2. Petitioner agreed to an extension of 30 days for the recommendation deadline at the request of the Illinois Environmental Protection Agency's ("Illinois EPA") Interim Director and her staff because Respondent would like to review USEPA's final ozone standard, which may be issued at the end of July 2011, prior to making a recommendation in this matter.

3. The parties have recently discussed the issues raised by the Petition and will continue discussions on such issues, including the impact of the final ozone standard on the Petitioner's request for variance, should the final standard be issued in the coming weeks.

4. Therefore, the hearing originally scheduled in this matter for August 4, 2011 should be cancelled.

5. The parties intend to update the Hearing Officer as to the status of discussions during the telephone status conference scheduled for August 4, 2011.

6. Petitioner also intends to file a Notice of Waiver of Decision Deadline to extend the Illinois Pollution Control Board's 120-day statutory decision deadline until November 17, 2011 to allow for the extension of Illinois EPA's recommendation deadline.

7. Petitioner anticipates that, if a hearing is necessary in this matter, it should be scheduled during the last week of August 2011 or first week of September 2011 since Petitioner may not provide additional waivers of the decision deadline beyond November 17, 2011.

WHEREFORE, Petitioner, EXXONMOBIL OIL CORPORATION respectfully requests that the Hearing Officer cancel the hearing in these matters set for August 4, 2011.

Respectfully submitted,

EXXONMOBIL OIL CORPORATION,  
Petitioner,

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

Dated: July 22, 2011

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