

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLINT HILLS RESOURCES	)	
JOLIET, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 16-24
	)	(Variance – Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**NOTICE OF FILING**

TO: Mr. John T. Therriault	Bradley P. Halloran
Assistant Clerk of the Board	Hearing Officer
Illinois Pollution Control Board	Illinois Pollution Control Board
James R. Thompson Center	James R. Thompson Center
100 West Randolph, Suite 11-500	100 W. Randolph Street, Suite 11-500
Chicago, Illinois 60601	Chicago, Illinois 60601
<b>(VIA ELECTRONIC MAIL)</b>	<b>(VIA FIRST CLASS MAIL)</b>

**(SEE PERSONS ON ATTACHED SERVICE LIST)**

PLEASE TAKE NOTICE that I have today filed with the Office of the Clerk of the Illinois Pollution Control Board a **CERTIFICATION OF PUBLICATION**, a copy of which is herewith served upon you.

Respectfully submitted,

FLINT HILLS RESOURCES JOLIET, LLC,  
Petitioner,

Dated: August 19, 2015

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

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

**CERTIFICATE OF SERVICE**

I, Katherine D. Hodge, the undersigned, hereby certify that I have served the attached

CERTIFICATION OF PUBLICATION upon:

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

via electronic mail, on August 19, 2015; and upon:

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

Sara Terranova, Esq.  
Stefanie N. Diers, Esq.  
Division of Legal Counsel  
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 August 19, 2015.

/s/ Katherine D. Hodge  
Katherine D. Hodge

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

FLINT HILLS RESOURCES	)	
JOLIET, LLC,	)	
	)	
Petitioner,	)	
	)	
v.	)	PCB 16-24
	)	(Variance – Water)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

**CERTIFICATION OF PUBLICATION**

FLINT HILLS RESOURCES JOLIET, LLC, by its attorneys and pursuant to the Illinois Pollution Control Board's August 6, 2015 Order, certifies that notice of the Petition for Variance (Temperature Standards) was published in the Joliet *Herald-News* on August 4, 2015. A copy of the published notice is attached.

Respectfully submitted,

FLINT HILLS RESOURCES JOLIET, LLC,  
Petitioner,

Dated: August 19, 2015

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

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

Certificate of the Publisher

The Herald-News

Description: FHR THERMAL  
HN 2464

HODGE DWYER & DRIVER  
PO BOX 5776  
3150 ROLAND AVE  
SPRINGFIELD IL 62705-5776

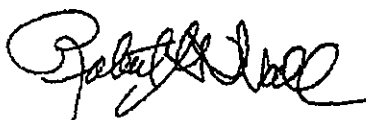
Shaw Media certifies that it is the publisher of The Herald-News. The Herald-News is a secular newspaper, has been continuously published daily for more than fifty (50) weeks prior to the first publication of the attached notice, is published in the City of Joliet, County of Will, State of Illinois, is of general circulation throughout that county and surrounding area, and is a newspaper as defined by 715 ILCS 5/5.

A notice, a true copy of which is attached, was published 1 time(s) in The Herald-News, namely one time per week for one successive week(s). Publication of the notice was made in the newspaper, dated and published on 08/04/2015

This notice was also placed on a statewide public notice website as required by 5 ILCS 5/2.1.

In witness, Shaw Media has signed this certificate by Robert Wall, its publisher, at Joliet, Illinois, on 4th day of August, A.D. 2015

Shaw Media By:



Robert Wall, Publisher

Account Number 10100131

Amount \$189.07

PUBLIC NOTICE

On July 21, 2015, Flint Hills Resources Joliet, LLC ("FHR") located at 23425 Amoco Road, Channahon, IL 60410 (Will County), filed with the Illinois Pollution Control Board ("Board") a Petition for Variance under Title IX of the Illinois Environmental Protection Act ("Act"). Variances may be granted pursuant to Section 35 of the Act (415 ILCS 5/35) and 35 Ill. Admin. Code Part 104.

FHR requests a variance from the deadline for complying with new water quality temperature standards of 35 Ill. Admin. Code §§ 302.408 (b), (c), (d), (e), (f), and (g). This request is necessary due to the impacts on the Lower Des Plaines River from upstream dischargers, which are documented in the Board's June 18, 2015, Final Notice in the R08-B(D) Rulemaking. FHR is requesting to extend the effective date of the new water quality standards because it will not be able to determine an appropriate means of compliance until the upstream impacts have been resolved.

Any person may request a hearing by filing with the Board a written objection to the grant of the variance, together with a written request for hearing, within twenty-one (21) days after the publication of this Notice.

A copy of FHR's variance petition is available from the Clerk of the Board and the Clerk's Office On-line System ("COOL"). The Clerk of the Board may be contacted at the following address and phone number: Illinois Pollution Control Board, James R. Thompson Center, 100 W. Randolph Street, Suite 11-500, Chicago, Illinois 60601; (312) 814-3620. COOL may be accessed from the Board's website at <http://www.ipcb.state.il.us>.

The Illinois Environmental Protection Agency ("Illinois EPA") is preparing a recommendation regarding this variance petition and is seeking the views of persons who may be adversely affected by the variance. The Illinois EPA is to file its recommendation within forty-five (45) days after the filing of the petition, which is by September 4, 2015. All comments and inquiries should be addressed to Sara Taranova, Assistant Counsel, Division of Legal Counsel, Illinois Environmental Protection Agency, 1021 North Grand Avenue East, Post Office Box 19276, Springfield, IL 62794-9276. Ms. Taranova may be contacted at (217) 558-3088 or [sara.taranova@illinois.gov](mailto:sara.taranova@illinois.gov). All comments and inquiries should be submitted within 21 days after the publication of this Notice.

A hearing may be held after the filing of the Illinois EPA recommendation. The record of this proceeding remains open for written comment for forty-five (45) days after filing of the Illinois EPA recommendation. Comments must be mailed to the Board at the above address for the Clerk of the Board.

The record in this variance proceeding is available at the Board's office for inspection, except those portions that are protected from disclosure under 35 Ill. Admin. Code Part 130. Procedures are available whereby disclosure may be sought by the public.

(Published in the Herald-News August 4, 2015.) HN 2464