

BEFORE THE ILLINOIS ENVIRONMENTAL PROTECTION AGENCY

IN THE MATTER OF:)
)
PROPOSED ISSUANCE OF)
CONSTRUCTION PERMITS/) DLC # 120-07
PSD APPROVAL AND AN NPDES)
PERMIT TO CONONCOPHILLIPS)
COMPANY IN ROXANA AND HARTFORD,)
ILLINOIS)

HEARING OFFICER ORDER

On May 31, 2007, the undersigned Hearing Officer for the Illinois Environmental Protection Agency (“Illinois EPA”) in this matter received via electronic mail (“e-mail”) a request sent by Kathy Andria representing American Bottom Conservancy/Sierra Club (and apparently on behalf of Environmental Integrity Project, Missouri Coalition for the Environment, and Prairie Rivers Network). The e-mail requested that the public comment period be extended 30 days from the end of the current comment period of June 7, 2007, until July 7, 2007. An additional e-mail from Ms. Andria requesting the same extension was received by the Hearing Officer on June 4, 2007.

It should be noted that both e-mails indicated that the Hearing Officer had agreed to grant an extension of the comment period at the hearing. Contrary to that assertion, the Hearing Officer did not state, either on or off the record, that an extension of the comment period would definitely be granted if sought. At hearing, the Hearing Officer indicated that if Ms. Andria needed an extension of the comment period, she could make a formal request that would be considered.

This request has been discussed with ConocoPhillips and the Illinois EPA engineer, Jason Schnepf. Although the permit review and construction timelines for this facility are extremely tight, and the need for additional refinery capacity is urgent, the request to extend the post-

hearing period is granted in part. The post-hearing comment period will now expire on June 15, 2007, which is 38 days following May 8, 2007, the date of the public hearing.

Respectfully submitted,

ILLINOIS ENVIRONMENTAL
PROTECTION AGENCY

By: /s/ Rachel L. Doctors
Rachel L. Doctors
Hearing Officer
Division of Legal Counsel

DATED: June 6, 2007

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