

ILLINOIS POLLUTION CONTROL BOARD
February 25, 1993

IN THE MATTER OF:)
)
PETITION OF STEPAN COMPANY) AS 88-2
FOR AN ADJUSTED) (Adjusted Standard)
STANDARD FROM 35 ILL. ADM.)
CODE 215.Subpart I)

ORDER OF THE BOARD (by J. C. Marlin):

This matter comes before the Board on Stepan's August 5, 1988, petition for an adjusted standard. Pursuant to the Board's order of December 3, 1992, Stepan filed a status report in this matter on February 11, 1993. The matter is inter-related with federal regulations in the Federal Implementation Plan (FIP). USEPA stayed these rules in relation to Stepan in March, 1992. Stepan reports that on February 4, 1993, USEPA filed a status report in the United States Court of Appeals for the Seventh Circuit pertaining to Stepan's appeal of the federal regulations. The USEPA status report states:

Regarding EPA's reconsideration of regulations concerning Stepan, EPA's regional office has completed its review of a draft Notice of Proposed Rulemaking ("NPR") containing site-specific control requirements for Stepan's Millsdale facility. The regional administrator concurred in the NPR on September 25, 1992, and forwarded it to EPA headquarters on September 30, 1992. The NPR is currently undergoing review at the Office of Management and Budget. EPA will continue its efforts to complete the reconsideration for Stepan as expeditiously as possible.

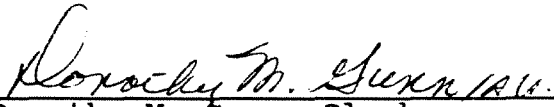
Stepan also reports that the Seventh Circuit United States Court of Appeals has ordered that USEPA file a status report in the pending federal action by March 5, 1993. Stepan continues to request that the Board allow this docket to remain open. Stepan is concerned that it could be caught between conflicting state and federal regulations should this proceeding go forward or be dismissed before the federal rulemaking is finalized and the federal appeal is resolved.

Given that USEPA has stayed the effectiveness of the federal regulations as they apply to Stepan pending reconsideration, the Board hereby stays the proceedings in this matter until March 19, 1993, at which time Stepan is directed to file a status report with the Board.

IT IS SO ORDERED.

0139-0663

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 25th day of FEBRUARY, 1993, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board