

ILLINOIS POLLUTION CONTROL BOARD

June 2, 1994

IN THE MATTER OF:)
)
PETITION OF ABBOTT LABORATORIES) AS 94-5
FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard)
35 ILL. ADM. CODE 218 SUBPART RR)
)

ORDER OF THE BOARD (by J. Theodore Meyer):

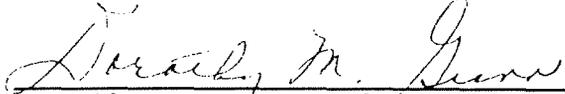
This matter is before the Board on a joint motion for stay, filed on May 27, 1994 by Abbott Laboratories and the Illinois Environmental Protection Agency (Agency). The parties state that as a result of the Board's adoption of new reasonably available control technology (RACT) regulations¹, some of Abbott's equipment, used to produce chemicals such as Gibberellin, is now subject to two sets of RACT requirements. The Agency has agreed that the RACT requirements set forth at 35 Ill. Adm. Code 218.Subpart T are the appropriate requirements, and not the requirements in 35 Ill. Adm. Code 218.Subpart RR. The parties maintain that the Agency intends to submit to the Board, this summer, a proposed rule amending Subpart T. The parties state that such amendment would provide the relief requested by Abbott in its petition for adjusted standard. Thus, the parties request that the Board stay this proceeding until adoption of that amended rule.

The motion for stay is granted. However, we will not stay this matter indefinitely, pending the outcome of a rulemaking that has not yet been filed with the Board. This matter is stayed until September 15, 1994. The parties are directed to file status reports, either jointly or separately, no later than September 6, 1994. The status reports shall include detailed information on the progress of the anticipated rulemaking.

IT IS SO ORDERED.

¹ Reasonably Available Control Technology for Major Sources Emitting Volatile Organic Materials in the Chicago Ozone Nonattainment Area: 25 Tons (Amendments to 35 Ill. Adm. Code Parts 211 and 218 (January 6, 1994), R93-14. Those amendments were adopted by the Board on January 6, 1994, and became effective on January 24, 1994.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 2nd day of June, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board