

ILLINOIS POLLUTION CONTROL BOARD
May 18, 1995

REICHHOLD CHEMICALS, INC.,)
)
 Petitioner,)
)
 v.)
)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

PCB 92-165
(UST Fund)

REICHHOLD CHEMICALS, INC.,)
)
 Petitioner,)
)
 v.)
)
)
ILLINOIS ENVIRONMENTAL)
PROTECTION AGENCY,)
)
 Respondent.)

PCB 94-278
(UST Fund)

ORDER OF THE BOARD (by E. Dunham):

This matter comes before the Board on a motion to dismiss filed by Reichhold Chemicals, Inc. (Reichhold) on May 11, 1995. The motion to dismiss is filed in accord with a proposed Settlement Agreement and Release entered into by the parties on May 11, 1995. A copy of the Settlement Agreement and Release was filed with the motion to dismiss. The motion to dismiss is conditioned upon the proposed settlement being entered by the Board.

The Board on its own motion consolidates PCB 92-165 and PCB 94-278 pursuant to 35 Ill. Adm. Code 103.141. The Board believes that consolidation of these cases is required because the settlement agreement entered into by the parties pertains to both actions.

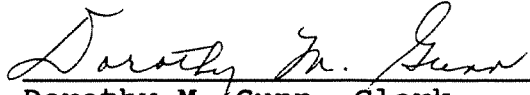
Pursuant to the settlement agreement, the Agency agrees to accept the Board's order dated December 27, 1992 finding 28 underground storage tanks at Reichhold's property eligible for reimbursement. The Agency further agrees to approve payment to Reichhold in the amount of \$120,279 with a queue date for payment of April 11, 1994.

The Board grants petitioner's motion to dismiss and expressly incorporates by reference, the settlement agreement

filed by the parties. The dockets in this matter are hereby closed.

IT IS SO ORDERED.

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 18th day of May, 1995, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board