

ILLINOIS POLLUTION CONTROL BOARD  
September 15, 1994

OLIN CORPORATION, and	)	
UNITED STATES DEPARTMENT OF	)	
INTERIOR, FISH AND WILDLIFE	)	
SERVICE,	)	
	)	
Petitioners,	)	
	)	
v.	)	PCB 91-207
	)	(Permit Appeal)
ILLINOIS ENVIRONMENTAL	)	
PROTECTION AGENCY,	)	
	)	
Respondent.	)	

ORDER OF THE BOARD (by C.A. Manning):

On November 4, 1991, Olin Corporation ("Olin") and the United States Department of Interior, Fish and Wildlife Service ("DOI") filed a petition for hearing to review certain terms and conditions contained in modifications made by the Illinois Environmental Protection Agency ("Agency") of a RCRA Part B Permit for the storage of hazardous waste in containers in six magazines located in the southern portion of "Ordill Area 13" of the Crab Orchard National Wildlife Refuge, owned by DOI. The hazardous waste storage facility is currently operating under interim status authority pursuant to 35 Ill. Adm. Code Section 703.150 and 40 C.F.R. Section 270.5(e).

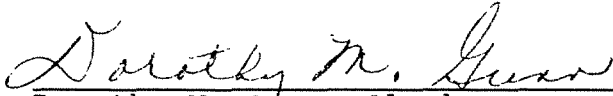
On December 29, 1993, Olin, DOI and the Agency jointly submitted a status report pursuant to Board order of September 23, 1993. On January 6, 1994, the Board accepted the status report and further requested that Olin and DOI file a statutory deadline waiver in this case, or it would be set for hearing. On January 13, 1994, the Board received a waiver until January 1, 1995. As was stated in our January 6th order, we indicated we would re-establish a status report schedule upon receipt of the waiver. Accordingly, the parties were directed to file a status report in this matter on or before April 14, 1994. The parties filed said status report and the Board issued an order on April 21, 1994 requesting another status report to be filed on or before August 26, 1994.

The parties filed pursuant to the April order their status report on August 29, 1994. This latest status report states that the negotiations are still ongoing yet the parties have reached a tentative agreement resolving the issues in dispute. The parties state that the Agency is currently drafting a Part B permit for the facility and that the anticipated issuance of the Part B permit will lead to the dismissal of this appeal. The status report does not state an expected date of issuance of the Part B permit or the dismissal of this appeal.

The Board accepts the status report. The decision due date in this matter is January 1, 1995. The Board is unwilling to grant any further stays or continuance in this matter without an additional waiver of the decision due date. The Board will set this matter for hearing at the October 6, 1994 meeting unless an extension of the decision due date is received prior to that date. If a waiver is received prior to that date the Board will re-establish a status report schedule.

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 15<sup>th</sup> day of September, 1994, by a vote of 6-0.

  
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Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board