

ILLINOIS POLLUTION CONTROL BOARD  
September 17, 1992

CABOT CORPORATION, (Tuscola Facility),	)	
	)	
Petitioner.	)	
	)	
v.	)	PCB 91-197
	)	(Permit Appeal)
	)	
ILLINOIS ENVIRONMENTAL PROTECTION AGENCY,	)	
	)	
Respondent.	)	

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

On September 15, 1992, the parties filed an agreed motion to stay the October 22, 1992 hearing presently scheduled in this matter; the hearing officer has indicated that he will not postpone hearing absent action by the Board.

Cabot asserts that on August 31, 1992 it filed with the Agency a revised closure plan which would replace the closure plan which is the subject of this appeal. If the Agency accepts the plan, Cabot will withdraw this appeal. However, the Agency is not required to finish its completeness review until October 31, 9 days after the hearing is scheduled to take place.

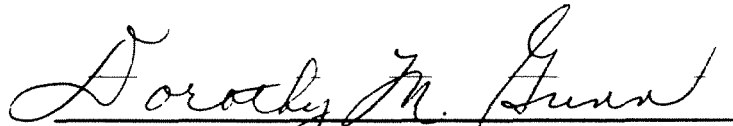
Cabot asserts that to allow hearing to proceed under these circumstances would unnecessarily burden the parties and the resources of the Board. The parties seek an order "staying this matter until the IEPA is able to act on the revised closure plan for the vaporizer bottom treatment tank". Finally, Cabot notes that it has previously filed an open waiver of the decision deadline.

The motion for stay is granted. However, the Board does not favor indefinite stays. Accordingly, the stay will expire January 17, 1993, at which time the parties are directed to file a status report.

IT IS SO ORDERED.

0136-0021

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 17<sup>th</sup> day of September, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

0136-0022