

BEFORE THE ILLINOIS POLLUTION CONTROL BOARD

IN THE MATTER OF:)	
)	
Petition of CABOT CORPORATION)	
for an Adjusted Standard from 35 Ill.)	AS 07-6
Adm. Code Part 738, Subpart B)	(Adjusted Standard)

MOTION TO AMEND THE PETITION

CABOT CORPORATION ("Cabot"), through its attorneys, Seyfarth Shaw LLP, and pursuant to 35 Ill. Adm. Code §§ 101.500 and 104.408, moves to amend its May 29, 2007 Petition for Reissuance of Adjusted Standard ("May 29, 2007 Petition"). In support of this Motion, Cabot states:

1. Cabot filed the May 29, 2007 Petition seeking reissuance of its Adjusted Standard from the Illinois State Underground Injection Control ("UIC") regulations for UIC wells numbers 2 and 3 located at its Tuscola, Illinois facility ("Facility").
2. Also on May 29, 2007, Cabot filed a Motion to Stay. The Motion to Stay requested that the Board stay further action on the May 29, 2007 Petition until the U.S. EPA takes final action on a similar petition. The Motion to Stay explained that staying the proceeding until the U.S. EPA takes action, "will assist the Board in making the appropriate determination and ensure that the Board does not apply more stringent law to Cabot than is warranted under the circumstance." May 29, 2007 Motion to Stay, at par. 9. The Board entered an Order staying the proceedings on August 9, 2007.
3. On July 22, 2008, the Board's Hearing Officer issued an Order further staying the proceedings until February 9, 2009. The July 22, 2008 Order also extended the deadline for the Agency to file its recommendation in this matter until March 26, 2009.

4. On October 1, 2008, Cabot sent the U.S. EPA a response to a Notice of Deficiency ("NOD") with respect to its petition for exemption from the land disposal restrictions. *See* attached CD-Rom. The response updates the original petition. The purpose of this Motion is to allow Cabot to file the response to the NOD with the Board in order for the Board to be able to make its determination in this matter based on the same information as the U.S. EPA. No substantive change in the relief requested by the May 29, 2007 Petition is sought.

5. Cabot does not ask the Board to take any further action at this time. The matter should remain stayed until February 9, 2009. When the U.S. EPA takes action on the Petition, Cabot will notify the Board.

WHEREFORE, Cabot Corporation requests that the Board grant this Motion to amend the Petition in this matter.

October 9, 2008

Respectfully submitted,

Cabot Corporation

By: /s/Eric E. Boyd
One of His Attorneys

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NOTICE OF FILING

TO: See attached Service List

PLEASE TAKE NOTICE that on October 9, 2008, I filed with the office of the Clerk of the Illinois Pollution Control Board Cabot Corporation's Motion to Amend the Petition (and attached CD-ROM), a copy of which is hereby served on you.

CABOT CORPORATION,

By: /s/Eric E. Boyd
One of His Attorneys

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CERTIFICATE OF SERVICE

I, Eric E. Boyd, an attorney, hereby certify that on October 9, 2008, I caused a copy of Cabot Corporation's Motion to Amend the Petition and Attachment to be served upon the parties listed in the service list by first class U.S. mail.

By: /s/Eric E. Boyd
One of His Attorneys