

ILLINOIS POLLUTION CONTROL BOARD
June 2, 1994

IN THE MATTER OF:)
)
PETITION OF HYDROSOL, INC.) AS 94-6
FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard)
35 ILL. ADM. CODE 218 SUBPART DD)
)

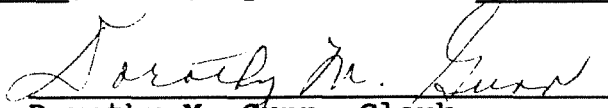
ORDER OF THE BOARD (by J. Theodore Meyer):

This matter is before the Board on a joint motion for stay, filed on May 27, 1994 by Hydrosol, Inc. and the Illinois Environmental Protection Agency (Agency). The parties note that Hydrosol has asked the Board to clarify that factors set forth in 35 Ill. Adm. Code 218.686(a)(2)(B) are alternatives and should be connected by "and/or" instead of "and".¹ The parties further state that the Agency agrees that the intent of Section 218.686(a)(2)(B) was to allow alternatives, and that the Agency intends to submit to the Board, this summer, a proposed amendment to that section to change the word "and" to "or". The parties state that such amendment would provide the relief requested by Hydrosol 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.

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

¹ Section 218.686(a)(2)(B) was adopted by the Board on January 6, 1994, and became effective on January 24, 1994. (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.))