

ILLINOIS POLLUTION CONTROL BOARD
April 20, 1995

CWM CHEMICAL SERVICES, INC.,)	
)	
Petitioner,)	
)	
v.)	PCB 89-177
)	(Permit Appeal-Land)
ILLINOIS ENVIRONMENTAL)	
PROTECTION AGENCY and)	
PEOPLE OF THE STATE)	
OF ILLINOIS,)	
)	
Respondents.)	

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

On March 24, 1995, petitioner CWM Chemical Services, Inc. (CWM) filed its status report in this proceeding.

The status report recounts the progress being made by CWM on the Illinois Environmental Protection Agency's (Agency) review of CWM's November 1991 RCRA Part B permit application. CWM is continuing the negotiations with Clean Harbors of Chicago (CHCI) for an agreement to transfer some assets at the facility to CHCI, and entered into a letter of intent with CHCI. On January 11, 1995, the Agency conducted a semi-annual RCRA inspection of the CWM facility, and reported no observed violations. A CHCI contractor began decontaminating the CWM shredder system in March 1995. The primary shredder system will be shipped off-site to CHCI's Nebraska facility pursuant to an approved plan by Regions V and VII of the United States Environmental Protection Agency.

CHCI has also constructed a tank farm, concrete off-loading pads and fire suppression system pursuant to the Temporary Authorization granted by the Agency. On March 15, 1995, the Agency issued a draft Part B RCRA permit to CHCI. A public meeting is scheduled for May 3, 1995 at Olive Harvey College, and the comment period will close June 3, 1995. CWM requests that this appeal and the April 20, 1992 stipulation remain pending until the transaction with CHCI is closed. If the transaction takes place, CWM will dismiss the appeal.

Because it appears that this case is close to resolution, the Board accepts the status report. CWM is directed to file an updated status report with the Board no later than June 30, 1995. The Board notes that the Agency failed to file a status report as ordered and directs the Agency to also file a status report, either jointly or separately, no later than June 30, 1995.

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 20th day of April, 1995, by a vote of 7-0.

Dorothy M. Gunn
Dorothy M. Gunn, Clerk
Illinois Pollution Control Board