

ILLINOIS POLLUTION CONTROL BOARD  
September 3, 1992

SHEREX CHEMICAL COMPANY, INC., )  
 )  
Petitioner, )  
 )  
v. ) PCB 91-202  
 ) (Permit Appeal)  
ILLINOIS ENVIRONMENTAL )  
PROTECTION AGENCY, )  
 )  
Respondent.

ORDER OF THE BOARD (by M. Nardulli):

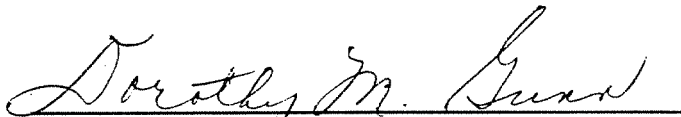
This matter is before the Board on the August 1, 1992 motion for reconsideration filed by Sherex Chemical Company, Inc. (Sherex). Sherex seeks reconsideration of that portion of the Board's July 30, 1992 order closing the docket on Sherex's RCRA Part B permit. Sherex asks that the Board reopen this docket to allow resolution of the remaining matters as reflected in the parties' stipulation of May 7, 1992. The Agency has not filed a response.

In its July 30, 1992 order, the Board noted the inconsistency between the stipulation, providing for a continuance of the hearing to allow Sherex to complete its sampling and Agency review, and Sherex's failure to request partial summary judgment. Sherex's motion for reconsideration has clarified this inconsistency. Therefore, the Board has reconsidered that part of its order closing this docket and reverses that determination. This docket is reopened.

The Board notes that Sherex has filed a waiver of the Board's decision deadline until December 10, 1992. Sherex states that this waiver "should give the parties sufficient time to complete sampling and resolve remaining issues, if resolution is possible." However, to ensure that the Board has adequate time to review this case, the hearing officer should promptly schedule a hearing.

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 3rd day of September, 1992, by a vote of 7-0.

  
Dorothy M. Gunn, Clerk  
Illinois Pollution Control Board

0135-0511