

ILLINOIS POLLUTION CONTROL BOARD
March 3, 1994

IN THE MATTER OF:)
)
PETITION OF REYNOLDS) AS 91-8
METAL COMPANY FOR ADJUSTED) (Adjusted Standard)
STANDARD FROM 35 ILL. ADM.)
CODE 218.980)

ORDER OF THE BOARD (by C.A. Manning):

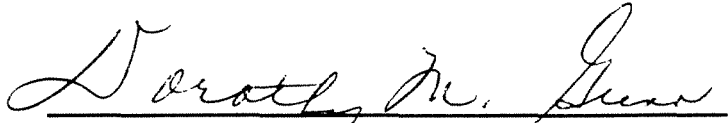
This matter is before the Board pursuant to a status report filed by Reynolds Metal Company (Reynolds) on February 24, 1994. On September 4, 1991, Reynolds filed a Petition for an Adjusted Standard. On January 23, 1992, the Board accepted this matter for hearing, but at the request of Petitioner, delayed assigning a hearing officer because, as argued by Petitioner, the petition could result in a revision to the State Implementation Plan (SIP). Before a revision to the SIP can be accepted, the USEPA must first revise the Federal Implementation Plan (FIP). Reynolds has petitioned the USEPA for the revision of the FIP and is awaiting the decision.

On June 23, 1992, the USEPA published a notice in the Federal Register staying the effectiveness of 40 CFR 52.741(x) and (y) as they apply to Reynolds, to allow the USEPA to reconsider the applicability of these rules to Reynolds. The notice stated that USEPA is proceeding expeditiously with reconsideration. On September 22, 1993, the USEPA published a Proposed Rule in the Federal Register which proposed revisions to the FIP consisting of site specific control requirements for Reynolds' aluminum rolling operations. Comments were accepted until October 22, 1993, and according to the December 13, 1993 status report, Reynolds was the only commenter on the proposed rule, requesting a minor clarification in the language. The February 24, 1994 status report indicates that the USEPA has not yet published the final rule.

Based on the USEPA's stay of the effectiveness of 40 CFR 52.741(x) and (y), on February 4, 1993 the Board originally stayed the proceedings in this matter until May 4, 1993, and has on several occasions, extended the stay. We hereby extend the stay in this case until Thursday, June 23, 1994. Reynolds is directed to file an updated status report either on or before Thursday, June 16, 1994, or within 14 days after the USEPA publishes the final rule. The status report should indicate whether the rule is finally promulgated by USEPA (if applicable, the date of the published final rule), whether this adjusted standard docket continues to be necessary and whether additional status reports are desirable. Reynolds should also request an extension of the stay if one is required.

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 March, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board