

ILLINOIS POLLUTION CONTROL BOARD
October 21, 1993

IN THE MATTER OF:)
)
PETITION OF STEPAN COMPANY) AS 88-2
FOR AN ADJUSTED STANDARD) (Adjusted Standard)
FROM 35 ILL. ADM. CODE)
215 SUBPART I)

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

This matter comes before the Board on Stepan's August 5, 1988, petition for an adjusted standard for its facility in Millsdale, Illinois. Pursuant to the Board's order of September 23, 1993, Stepan filed a status report in this matter on October 19, 1993.

This matter is inter-related with federal regulations in the Federal Implementation Plan (FIP). USEPA extended the stay of these rules in relation to Stepan on March 3, 1992. 57 Fed. Reg. 7549. Stepan reports that on September 30, 1993, USEPA filed a status report in the United States Court of Appeals for the Seventh Circuit pertaining to Stepan's appeal of the federal regulations. The USEPA status report states:

Regarding EPA's reconsideration of regulations concerning Stepan, on September 9, 1993 the Administrator signed a Notice of Proposed Rulemaking (NPR) in which EPA has proposed site-specific control requirements for Stepan's Millsdale facility.

The NPR was published in the Federal Register on October 1, 1993 (58 FR 51279). The notice provides for a 30 day comment period. Stepan has requested an additional 60 days to comment on the proposed site-specific regulations.

Stepan also attaches an order by the Seventh Circuit United States Court of Appeals requiring USEPA to file another status report on or before December 1, 1993.

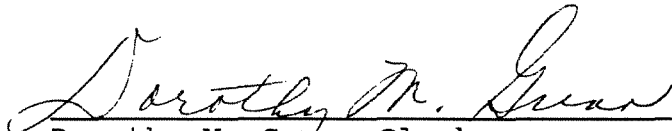
Stepan continues to request that the Board allow this docket to remain open. Stepan is concerned that it could be caught between conflicting state and federal regulations should this proceeding go forward or be dismissed before the federal rulemaking is finalized and the federal appeal is resolved. Stepan proposes to provide the Board with another status report on or before December 13.

Given that USEPA has stayed the effectiveness of the federal regulations as they apply to Stepan pending reconsideration of

those regulations, the Board will renew the stay of the proceedings in this matter until December 13, 1993, at which time Stepan is directed to file a timely status report with the Board.

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 21st day of October, 1993, by a vote of 7-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board