

ILLINOIS POLLUTION CONTROL BOARD
April 22, 1993

OLIN CORPORATION,)
)
 Petitioner,)
)
 v.) PCB 93-4
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by R.C. Flemal):

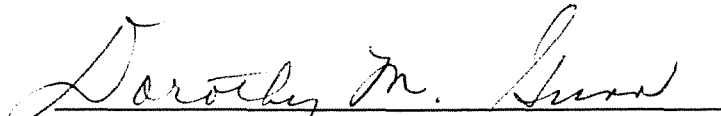
On April 15, 1993, Olin Corporation (Olin) and the Illinois Environmental Protection Agency (Agency) filed a joint motion to dismiss this action without prejudice based on a stipulation. Olin states that its facility no longer anticipates receiving waste from an off-site pretreatment facility. The stipulation is basically an agreement by Olin to withdraw the appeal based on an agreement by the Agency not to determine that the Olin facility is a regional pollution control facility or a new regional pollution control facility.

The parties want the instant matter to be dismissed without prejudice to preserve the right to appeal any future determinations made by the Agency. The Board notes that any future determinations by the Agency would be reviewable under the provisions of the Act. Therefore, there is no need to preserve rights of future action for this appeal.

The Board hereby grants the motion to dismiss, with prejudice. The Board does not make any finding as to the substance of the stipulation.

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 22nd day of April, 1993, by a vote of 6-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board

0141-0239