

ILLINOIS POLLUTION CONTROL BOARD
January 7, 1993

SAFETY-KLEEN CORP.,)
)
 Petitioner,)
)
 v.) PCB 91-134
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by J. C. Marlin):

On December 17, 1992, the Board issued an order directing the parties in this case to file a status report on or before December 31, 1992. Filings which were past due had not been received by the Board and the parties had not filed a motion for extension of time. Accordingly, the Board order stated that a failure to file would render this proceeding subject to dismissal for want of prosecution.

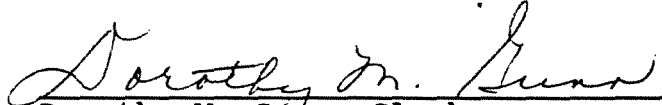
On December 30, 1992, the Board received a status report from Safety-Kleen Corp. stating that the parties had reached an agreement and that Safety-Kleen would be filing a motion for voluntary withdrawal. On January 4, 1993, the Board received Safety-Kleen's motion.

In support of its motion for voluntary withdrawal, Safety-Kleen states that it has worked extensively with the Illinois Environmental Protection Agency (Agency) and has reached an agreement. Safety-Kleen filed this appeal of the Agency's partial approval and denial of class 2 modification requests and RCRA Part B permit revisions on August 5, 1991. On December 24, 1992, the Agency issued a revised permit for Safety-Kleen's Elgin facility. Safety-Kleen states in its motion that the revised permit has resolved the issues in this appeal. Safety-Kleen also states that the Agency does not object to the granting of this motion. Therefore, the Board grants Safety-Kleen's motion to voluntarily withdraw and this action is dismissed.

IT IS SO ORDERED.

0138-0225

I, Dorothy M. Gunn, Clerk of the Illinois Pollution Control Board, hereby certify that the above order was adopted on the 7th day of January, 1993, by a vote of 5-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board