

ILLINOIS POLLUTION CONTROL BOARD
February 1, 1996

IN THE MATTER OF:)
)
CABOT CORPORATION PETITION) AS 96-3
FOR AN ADJUSTED STANDARD FROM) (Adjusted Standard-UIC)
35 ILL. ADM. CODE PART 738,)
SUBPART B)

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

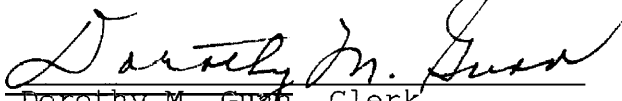
This matter comes before the Board upon a Motion for Leave to Supplement the Record and to Request a Decision filed by Cabot Corporation (Cabot) on January 23, 1996.

First, Cabot requests to supplement the record in this proceeding with the United States Environmental Protection Agency's Notice of Reissuance of Exemption from Land Disposal Restrictions to Cabot. The Board hereby grants Cabot's motion to supplement the record with this USEPA Notice.

Second, Cabot asks the Board to take final action on the adjusted standard at this, the Board's February 1, 1996 meeting. The Board denies Cabot's request for a final decision at today's Board meeting. The Board will not issue a final decision at this meeting primarily because the Board has not received the Illinois Environmental Protection Agency's (Agency) response. Pursuant to 35 Ill. Adm. Code 106.714(a) the "Agency shall file a response not later than 30 days after the filing of a petition, if the Agency is not a co-petitioner to the petition". Such response will recommend either a grant or denial of the proposed adjusted standard. In the alternative, if the Agency intends to join in a co-petitioner status, neither Cabot nor the Agency has sufficiently demonstrated that status request. (See 35 Ill. Adm. Code 106.703 and 106.704.) Accordingly, the Board directs the Agency to immediately file the required response to the request for adjusted standard.

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 1st day of February, 1996 by a vote of 7-0.


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board