

ILLINOIS POLLUTION CONTROL BOARD
May 5, 1993

SHELL OIL COMPANY,)
)
 Petitioner,)
)
 v.) PCB 92-101
) (Permit Appeal)
 ILLINOIS ENVIRONMENTAL)
 PROTECTION AGENCY,)
)
 Respondent.)

ORDER OF THE BOARD (by G. T. Girard):

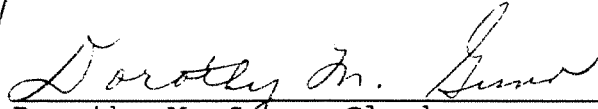
This matter comes before the Board on a petition filed on July 10, 1992. Since the filing of the petition, respondent has filed several motions for extension of time to file the Agency record in this matter, citing on-going negotiations between respondent and petitioner. On August 3, 1992, petitioner filed an open waiver of the decision date. On April 23, 1993, the parties filed a joint status report and motion to extend time to file record. The parties anticipate that this matter will be resolved by the adoption of rulemaking R93-9. R93-9, In the Matter Of: Omnibus Cleanup of the Volatile Organic Material RACT Rules Applicable to Ozone Nonattainment Areas: Amendments to 35 Ill. Adm. Code Parts 203, 211, 218 and 219, is a "fast-track" air rulemaking being conducted pursuant to the expedited procedures of Section 28.5 of the Environmental Protection Act (415 ILCS 5/28.5). Among other things, the proposed rulemaking includes practices for cooling towers, which are at issue in this appeal. The Board anticipates adopting R93-9 by December of 1993. The parties request that respondent be given until December 30, 1993, to file the Agency record. The parties have committed to submit additional status reports to the Board within 120 days of the issuing of this Order.

The Agency's motion to extend the time in which to file the Agency record in this matter until December 30, 1993, is hereby granted. The parties are directed to file a status report concerning this matter to be received by the Board on or before September 6, 1993.

IT IS SO ORDERED.

0142-0023

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



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board