

ILLINOIS POLLUTION CONTROL BOARD
October 7, 1993

IN THE MATTER OF:)
)
THE PETITION OF CABOT CORP. FOR) AS 91-10
AN ADJUSTED STANDARD FROM THE) (Adjusted Standard)
REQUIREMENTS OF 35 Ill. ADM.)
CODE 725.293)

ORDER OF THE BOARD (by J. Anderson):

By its order of July 1, 1993 the Board required Cabot Corp. to submit a status report no later than September 30, 1993. Cabot was to provide the Board with specific information in that report: the further action it intends in this proceeding in light of its draft Part B permit, the general nature of any unresolved issues in light of the Agency's actions, and the dates by which Cabot intends to pursue those further actions. Cabot submitted a status report on September 24, 1993.

In the status report, Cabot stated that it submitted a report to the Agency on August 2, 1993 relating to groundwater issues at its facility. Cabot stated that this report set forth the subsurface geology and hydrogeology of the facility, the Part 620 classification of the groundwater under the site, the results of a site groundwater assessment performed in March and April, 1993, the results of 1992 field work conducted to support this petition for an adjusted standard, and the RCRA interim status groundwater monitoring program. Cabot stated that it had as yet received no comments from the Agency on the groundwater report, but that the Agency intended to respond to the report in the draft RCRA Part B permit, which the Agency intended to issue on or about September 29, 1993. Cabot stated that it "cannot say at this time whether outstanding groundwater issues have been resolved." Cabot stated that it will be in a position to decide to proceed or withdraw its petition for an adjusted standard after further discussions with the Agency. Cabot requested that the Board allow it until January 1, 1994 to submit another status report in this matter.

The Board notes that 35 Ill. Adm. Code 705.Subparts D, E and F provide for public notice and comment on draft RCRA permits, providing for possible public hearings if the degree of public interest so warrants. Section 705.162(a)(2) provides for a 45-day public comment period after notice of the draft permit. Section 705.182(c) requires a 30-day extension of the public comment period following any public hearing. Further, Sections 705.184(a)(3) and 705.201(d) can provide additional time before a RCRA permit becomes final. The minimum time that a RCRA permit can become final from the date the Agency issues a draft permit is 80 days. (See 35 Ill. Adm. Code 705.162(a)(2) & 705.201(d).)

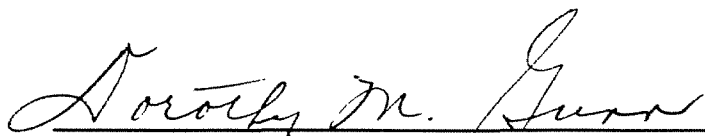
For the foregoing reasons, the Board continues the stay of this proceeding. We hereby order Cabot to submit another status report on or before January 1, 1994 that provides the following information:

- A. The further action it intends in this proceeding in light of its draft Part B permit,
- B. The general nature of any unresolved issues in light of the Agency's actions, and
- C. The dates by which Cabot intends to pursue those further actions.

As noted in previous Board orders, and as stated by Cabot in its September 24, 1993 status report as its intent, Cabot shall timely comply with the RCRA secondary containment standards of 35 Ill. Adm. Code 725.293, except as otherwise provided by Board order or regulation.

IT IS SO ORDERED.

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


Dorothy M. Gunn, Clerk
Illinois Pollution Control Board