

ILLINOIS POLLUTION CONTROL BOARD
March 17, 1994

IN THE MATTER OF:)
)
TOXIC AIR CONTAMINANT LIST,) R90-1(D)
) (Rulemaking)
STYRENE (35 ILL. ADM. CODE)
)
232 APPENDIX A))

ORDER OF THE BOARD (by C.A. Manning):

On September 10, 1993, this docket was published in the Illinois Register. (17 Ill. Reg. 14540 (September 10, 1993).) The proposed amendment to 35 Ill. Adm Code 232.Appendix A was filed by the Board pursuant to Sections 9.5 and 27 of the Illinois Environmental Protection Act (Act). (415 ILCS 5/9.5 and 5/27 (1992).)

On September 23, 1993, the Styrene Information and Research Center (SIRC) and on September 24, 1993, the Chemical Industry Council of Illinois (CICI) filed requests for a hearing in this matter pursuant to Section 5-40 of the Illinois Administrative Procedure Act. (5 ILCS 100/5-40 (1992).) The Board granted the requests in its order dated October 21, 1993.

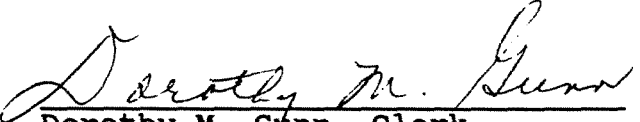
On November 12, 1993, SIRC filed a motion to stay proceedings based on SIRC's understanding that the Illinois Environmental Protection Agency (Agency) intends to propose to the Board a rulemaking which would eventually list styrene as a Toxic Air Contaminant (TAC). On December 16, 1993, the Agency filed a response which stated that it intends to file a proposal which would allow the listing of styrene as a TAC. Based on this the Board granted a stay until March 3, 1994.

On February 25, 1994, SIRC filed a status report and a motion to extend the stay in this matter for at least ninety (90) days. In support of the motion SIRC states that the Agency intends to file a proposal for listing styrene as a TAC on the basis that it is already listed as a Hazardous Air Pollutant pursuant to Section 112 of the Clean Air Act Amendments in May of 1994. SIRC states that the Agency has been advised of this motion for an extension of time and has no objection.

The Board is concerned with any further extension of the stay in this matter. SIRC's request for an additional ninety (90) days means that no hearing could be held in this matter until the end of July. The deadline to finish the proceedings and file this with the Secretary of State, however, is September 10, 1994. The Board will grant an extension of the stay only until May 19, 1994. Any motions to dismiss, withdraw, or other appropriate motions the parties want the Board to consider must be received by the Board by May 6, 1994.

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 17th day of March, 1994, by a vote of 6-0.



Dorothy M. Gunn, Clerk
Illinois Pollution Control Board